

"The latest version of Trumpcare is terrible for women, especially low income women and women of color," Joanna Saul, vice president of government affairs and public advocacy for Planned Parenthood Advocates of Ohio, said in a statement. "It will block patients with Medicaid from Planned Parenthood Health Centers, which 1 in 5 women of reproductive age rely on for care."

The American Cancer Society Cancer Action Network also urged opposition to the Graham-Cassidy plan in favor of bipartisan legislation.

"As drafted the Graham-Cassidy legislation would end the Medicaid expansion completely and place a per capita cap on traditional Medicaid, remove funding protections for children and disabled Americans, and impose a dramatic reduction in Medicaid support to your state over the next decade and beyond," ACS CAN President Christopher Hansen wrote in a letter to Gov. Kasich.

At the state level, the governor's office continues to face down legislative Republicans who are still weighing interest in overriding a budget veto to freeze new enrollment in the Medicaid expansion on July 1, 2018. (See Gongwer Ohio Report, September 18, 2017)

"Since expanding Medicaid, Ohio has only grown stronger -- hundreds of thousands of new jobs have been created, wages are growing faster than the nation, taxes have been cut and our budget is stable and balanced," Kasich spokesman Jon Keeling said in an email.

"Smart, innovative management has allowed expansion to work for Ohio, giving low-income Ohioans the coverage they need so they can stay on the job and have the opportunity to meet their potential."

Waste Industry Urges Move-Over Protections; Distracted Driving Bill Backed

Trash collectors told a Senate panel on Tuesday they would feel safer if there was a law requiring drivers to move over or slow down when approaching collection trucks.

They are backing a measure (SB 127) to extend to waste collection vehicles the protections of existing law that requires drivers approaching stationary public safety, emergency, road service, highway maintenance and other vehicles to change lanes, proceed with due caution, and reduce speed.

"Due to the nature of solid waste collection, I think it is safe to say that waste collection vehicles are stopped at the side of the road or on the road as much, if not more than, any of the previously listed vehicles that are currently covered under (the law)," said Kathy Trent, director of government affairs for Waste Management and chapter chair of the National Waste & Recycling Association.

"In addition...our employees are often at the back of a truck in the most vulnerable position possible - between the truck and on-coming traffic. It only takes one distracted driver, one driver in a hurry or some other unfortunate circumstance to cost our employee their life," she added.

Depending on the route, vehicles make an average of 600-900 individual stops on the side of the road each day, Ms. Trent said.

Jim Hutchinson, who works for Rumpke, was at one of those stops in 2008 when he was struck by a car, he told the Senate Local Government, Public Safety and Veterans Affairs committee.

He was out of work for more than seven months as a result of his injuries, and his family still fears for him to go to work each day, he said. His son, who works with him, sometimes parks the truck over curbs in busy areas to avoid another incident.

A handful of other collectors who've had near misses or were permanently disabled as a result of being hit by cars also testified in support of the measure.

Jim Profitt, safety ambassador for the Ohio Buckeye Chapter of the Solid Waste Association of North America, said trash collection is the fifth deadliest job in the United States - higher on the list than police and firefighters.

Because of this, 16 other states have required motorists to slow down and move over when they approaching waste vehicles, he said.

"By passing SB127, Ohio will join their ranks in protecting these hardworking men and women," Mr. Profitt said.

The issue of safety has become even more pressing in recent years, Ms. Trent said, as collectors are more frequently reporting incidents of distracted driving.

Distracted Driving: The committee on also heard supportive testimony on a bill (HB 95) to create a secondary offense of distracted driving that can be applied if an officer witnesses an offense during the course of enforcement of a primary offense.

Ohio State Highway Patrol Staff Lt. Kevin Miller said a similar law making texting while driving a secondary offense has been effective in reducing distracted driving.

"The legislation recognizes the fact that distractions behind the wheel can result from other activities that impair a person's ability to safely drive a car, not just those that involving cell phones and other electronic devices," he said.

In 2016, distracted driving resulted in 13,994 drivers crashing vehicles in Ohio, he said. Most commonly - in 60% of distracted driving accidents - drivers' attentions were focused on other districts in the vehicle such as food, drinks or passengers. About 23% of distracted drivers were listed as having been on their phones for calls, texting or emailing.

Mr. Miller said it can be difficult to prove someone was distracted while driving, but it's often easy to spot when someone is texting because the phone screen lights up the vehicle at night and many drivers are so engrossed in their phones they don't notice law enforcement looking directly at them from the next lane.

Kimberly Schwind, senior public relations manager at AAA Ohio Auto Club and Dom Tiberi, founder of Maria's Message, also praised the bill as positive step toward calling attention to the dangers of distracted driving.

Research that's rated how distracting certain activities are has found that listening to the radio and books on CD are minimal distractions, while talking on the phone - even with a hands-free system - while driving comes in at a 2.5 on a five-point distractedness scale.

Although passengers cause distractions, they are often actively monitoring the road as well so speaking with someone else in the vehicle is not as distracting as speaking with someone on the phone, Ms. Schwind said.

Sen. Lou Terhar (R-Cincinnati) observed that nearly anything can serve as a distraction, including things happening outside the car that drivers normally can't control.

"When we look at these bills, the issue I think for all of us is what is the reasonable thing to do," he said.

Written proponent testimony was also provided by Ohio Insurance Agents Association, Property Casualty Insurers, Ohio Association of Professional Firefighters, Mid-Ohio Regional Planning Commission, Ohio Insurance Institute and State Auto.

Builders, Businesses Seek Permissive Prevailing Wage

A bill weakening the state's prevailing wage law would restore local decision making and save dollars at a time local governments are hurting for funding, proponents told a House panel on Tuesday.

But Democratic members of the House Economic Development, Commerce & Labor Committee detailed their skepticism of the plan that opponents say will reduce workers' pay and increase safety risks.

The bill (HB 163) would enable local governments to choose whether to abide by a law requiring contractors to pay union-scale wages for publicly funded construction projects exceeding \$250,000 in value.

The measure, which has already made it further in the legislative process than its predecessor (HB282, 131st General Assembly), and is guaranteed to kick off a fierce debate with unions should hearings continue.

Bryan Williams, director of government affairs for Associated Builders and Contractors of Ohio, was among eight proponents testifying during the bill's second hearing. He and other supporters traded queries and studies on both sides of the issue with committee Democrats throughout the hearing.

Mr. Williams said that although prevailing wage might have served a purpose in 1932 when it was implemented in Ohio during the Great Depression, it has worn out its usefulness.

"Ohio has long championed local control and local decision making," Mr. Williams said. "What better time to apply this cherished concept now, when the state has reduced local government funding."

He labeled opponent concerns about the impact on construction quality and job safety as "false criticisms."

"Does prevailing wage produce a higher quality project? No," he said. "There is no credible evidence that public sector prevailing wage projects have any better workplace safety records."

Rep. Michele Lepore-Hagan (D-Youngstown) expressed concern the move could devalue training and education, resulting in a less-educated workforce.

Mr. Williams responded that employers still have the same safety records without prevailing wage. In addition, he said projects can require certain things of bidders, including specifications for training or other requirements.

Rep. Thomas West (D-Canton) took issue with Mr. Williams' claims there is no "credible evidence" of increased safety issues in non-prevailing wage states. If safety worries increase with permissive prevailing wage, "why do we want that for our state," he asked.

Saying he's aware of dueling studies on the issue, Mr. Williams agreed that "we wouldn't want more unsafe outcomes. I don't believe there is any nexus between (that and) release from prevailing wage."

Other proponents made similar arguments, with Don Boyd of the Ohio Chamber of Commerce calling the bill a way to support free enterprise and competition.

And Micah Derry, state director for Americans for Prosperity, called prevailing wage a "burdensome and outdated" idea. It skews the market, he said, in favor of larger, and often unionized, outfits.

Also testifying in support were the NFIB, the Ohio Fair Managers Association and several others businesses or local governments.

Subscribers Note: For full testimony see the [committee's website](#) under Sept. 19.

House Delves Into Effort To End Tax Code 'Marriage Penalty'

If tens of thousands of small businesses in the state can enjoy hundreds of millions in tax breaks enacted in recent years, why shouldn't 2.5 million married citizens be afforded the same opportunity?

That was among the arguments presented Tuesday to members of the House Ways & Means Committee, which conducted its first hearing on a proposal to end the so-called "marriage penalty" for Ohio income tax filers.

Sponsored by a bipartisan odd couple of sorts - conservative Rep. John Becker and liberal Rep. David Leland - the measure (HB 333) would eliminate a requirement for married couples in the state who file joint federal income tax returns to do the same with their Ohio filings.

Rep. Becker (R-Union Twp.) described the marriage penalty as the difference between the total Ohio income tax married people pay compared to single filers.

"Our federal income tax had a marriage penalty built into the rate structure until it was largely eliminated beginning in 2001. Unfortunately, our State of Ohio income tax continues to maintain a marriage penalty," he said.

Rep. Leland (D-Columbus) said he originally proposed the bill in 1983 during his first stint in the House, and that effort resulted in a "compromise" in the form of a joint filer credit. However, that "partial loaf" approach has become less impactful over time, as the credit hasn't been adjusted for inflation since the late 1980s, he said.

As a result, Rep. Leland said a married couple in Ohio making \$50,000 pays a \$244 tax "penalty" each year. The impact increases to \$476 for a couple making \$100,000, he said.

Some committee members questioned some of the underlying arguments of fairness with the proposal, noting that married couples benefit in other ways.

Rep. Dan Ramos (D-Lorain), for instance, said couples enjoy "economies of scale" through joint purchases, thus saving on other taxes. Rep. Gary Scherer (R-Circleville) questioned whether it wouldn't be fairer to simply tax "households," and noted there would still be "tortuous calculations" to make for tax filings.

Rep. Leland pointed to small business tax breaks totaling \$500 million a year that he said are enjoyed by only about 29,000 business owners and suggested married couples deserved the same consideration for tax relief.

The Legislative Service Commission has estimated that about 2.5 million Ohio residents could save \$500-\$600 million a year by ending the marriage penalty, he said.

Regarding the resulting impact to state revenue, Rep. Becker noted that the current code contains about \$8 billion in "tax expenditures," or tax breaks.

"There's a way to work through those numbers and find an equitable solution," he said.

Rep. Scherer, the committee vice chair, found some amusement with the unlikely pairing of the bill sponsors.

"I just love seeing the two of you" together on legislation, he said.

Elder Abuse Prevention Bill Continues To Garner Support In Senate

A bill aimed at fighting elder fraud continues to receive widespread support.

Pete Van Runkle of the Ohio Health Care Association told members of the Senate Judiciary Committee Tuesday that the legislation (SB 158) has the potential to save taxpayers money.

"The majority of people who make it to their retirement years ultimately will need long-term services and supports. When they run out of money to pay for their care, they turn to Medicaid," he said. "Whether it is home and community-based care or facility-based care, long-term services and supports are expensive. An elder who has been defrauded out all or part of their life savings will spend down to Medicaid all the sooner."

Mr. Van Runkle said his mother was the victim of elder fraud, causing her to go on Medicaid two months before she should have.

"My personal story aside, it is well-known that the elderly, particularly those with disabilities and failing memories, are easy targets for fraud. Any fraud is bad, but it is especially bad when the perpetrator singles out the most vulnerable members of our society," he said.

Rene Gindelberger, compliance and audit specialist at River Valley Credit Union, said financial institutions such as hers are already working to combat elder fraud.

"The state's population is aging and with that comes new challenges to the not-for-profit model, like properly addressing elder fraud. It's no secret elder fraud cases are on the rise across the country and in Ohio," she said.

"As frontline entities, credit unions play a critical role in recognizing and reporting potential cases of elder fraud. While serving members at River Valley, I have actively identified situations of elder fraud and have passionately advocated for justice on the member's behalf."

The legislation has also received the backing of Attorney General Mike DeWine. In written testimony, he highlighted the work his office has done to educate the public about senior exploitation through the Elder Financial Exploitation Handbook.

"With more public awareness, broader and stricter enforcement, and more severe penalties for offenders, Senate Bill 158 is an important part of combatting this threat to our state's vulnerable citizens," he wrote. "Senate Bill 158 seeks to address elder fraud in three key areas: awareness, consumer and professional education and enforcement."

Ohio Judicial Conference Executive Director Paul Pfeifer also weighed in with written testimony, but unlike other groups, the conference relayed concerns.

Mr. Pfeifer raised issues with the mandatory sentencing structure contained in the bill, along with a mandatory restitution requirement. He also said judges are opposed to a provision that would distribute mandatory fines to a separate state agency.

"Judges would prefer that criminal fines continue to be collected and disbursed in the manner currently being used, rather than using the criminal justice system as a funding authority for various state programs and managing local funds remotely and without the benefit of understanding unique local needs," he wrote.

Beth Kowalczyk, chief policy officer at the Ohio Association of Area Agencies on Aging, and Cynthia Gramke, executive director and CEO of Clermont Senior Services, Inc. provided written testimony in favor of the bill.

Fantasy Sports Industry Pushes Regulatory Bill

Proponents of a bill to regulate fantasy sports contests in Ohio argued before a Senate panel Tuesday that the industry needs licensure and oversight to make sure it is legal and safe in Ohio.

They continued to face opposition from Sen. Bill Coley (R-Liberty Twp.), who argued the games constitute illegal online gambling in Ohio by operating as a pool for profit. (See Gongwer Ohio Report, September 12, 2017)

The Senate Finance Committee heard from members of the industry, namely a representative from FanDuel and DraftKings, which make up the majority of the market. The proponents said the bill to regulate the industry (HB 132) would provide clarity for operators and players.

Scott Ward, national public policy counsel to FanDuel and DraftKings, said about 400,000 Ohioans have played paid fantasy sports on the two sites. He said the legislation is designed to regulate these new sites, which operate differently from traditional fantasy sports but which he argued do not fit the definition of gambling.

"This product has outstripped statutes that were not written with fantasy sports in mind," he said.

Mr. Ward compared the games to a fishing tournament, in which players pay entry fees and compete for a prize, using mostly their skill to determine their chances, rather than betting on a chance outcome.

Sen. Coley disputed that characterization, saying the games pay out based on players' entry payments. Any fishing tournament that creates a pool and makes a profit out of it is illegal in the state of Ohio, he said.

Mr. Ward said the companies typically host contests and charge entry fees to participate in them. The players then select their lineups of players and compete to score the most points using those players' statistics. Sometimes the contests don't make back more than it costs to run them, he said, and the companies don't turn a profit.

Sen. Coley questioned a provision in the bill designed to prevent employees of daily fantasy sports companies from playing on other fantasy sports sites. The language of the bill, he said, appeared to prevent employees only from playing on the sites they work for, not from playing on competitors' sites.

Mr. Ward said the intent of the bill is to keep them from playing on any daily fantasy sites, and said it could be a simple fix to clarify that.

Sen. Dave Burke (R-Marysville) said the bill offers wide authority to the Casino Control Commission to regulate the industry and any issues that may come up.

Sen. Coley said anything specific in the bill will override regulations by the commission.

"I'd ask that we be careful on those kind of things," he said.

Steve Brubaker, executive director of the Small Businesses of Fantasy Sports Trade Association, said the bill would assure fans and players in Ohio that the contests they participate in are run by reputable companies and that the Ohio Casino Control Commission is watching out for them.

"Having Commission oversight in the licensing process give the customers the safety that they need," he said. "We think that once there's licensure in Ohio that we'll see more people play because they'll think it's OK."

He said smaller operators are concerned about how high the fees would be set, and recommended basing the fees on the size of the company, either as a percentage of gross revenue or by the number of players.

The frequency of compliance audits, he said, will likely price some smaller operators out of the market in Ohio.

"We believe the player protections contained in the bill will bring new players to the market that may otherwise remain on the sidelines because they are uneasy about participating in contests in an unregulated environment," he said. "We are also concerned about the impact of the cost of that regulation on the small companies in our organization, and we will deal with the cost issues in the rulemaking process."

Sen. Burke said it's important to make sure smaller companies are able to enter the market.

"With 85% of the market controlled by two entities, having space for small entities to innovate and compete is important," he said.

The committee also received testimony from other proponents of the bill, including two professional sports teams - the Columbus Crew and Cincinnati Reds - who lent support.

Legislators Push For New Council To Provide Long-Term State Fiscal Forecasts

Lawmakers would have more forward-looking fiscal and demographic information to work with under a proposal that received its first hearing in a House committee Tuesday.

The measure (HB 320) would create a Long-Range Financial Outlook Council to report on fiscal projections and demographic trends four years out.

Sponsor Rep. Christina Hagan (R-Alliance) told the House Financial Institutions, Housing and Urban Development Committee that the bill would enhance lawmakers' ability to have accurate information.

"We have all heard at one time or another that government should be run more like a business; no business can remain successful without vision and a forward thinking plan," she said. "Therefore, it becomes clear and logical that creating a financial outlook plan for the state creates efficiency and accountability through the transparent and reasonable approach of understanding implication of bills passed into law."

The council would review revenue estimates and budget projections for major state-funded programs, the sponsors explained.

The chair would be appointed by the Legislative Service Commission, two members by the director of the Office of Budget and Management, and six to nine members each by the House speaker and Senate president. No more than half of the members plus one could be from the same political party.

The council would issue an annual report to the General Assembly, and the governor would be required to provide a review of the most recent report as part of the biennial budget submission.

"I am asking you to consider this for your constituents currently and for those of generations to come," Rep. Hagan said. "Our intent is to work with you, as colleagues, to take proactive steps toward creating long-term stability. It is irresponsible of any leadership to overlook this basic business principle. A proactive approach to government will be of the best service to all."

Joint sponsor Rep. Kristina Roegner (R-Hudson) said in written testimony that the model has worked in other states, such as Virginia, Florida and Kentucky.

"Having a long-range financial outlook just makes common sense," she said. "Most successful businesses forecast out several years, this helps them to make decisions today to optimize their future. States are no different."

Rep. Kent Smith (D-Euclid) asked about the requirement in the bill that the council look at changing demographics in the state. He pointed to reports that there has been an increase in food stamp requests from senior citizens in more affluent parts of the state as an example of the state's demographic shift toward an older population.

Rep. Hagan said it's important to give the council the ability to study issues that would affect the state's fiscal well-being.

"Knowing and understanding that we have an aging population and what that actual means from a fiscal standpoint is essential for the state's fiscal well-being," she said.

Rep. Robert Sprague (R-Findlay) asked how differences between the council's projections and the governor's would be reconciled in the budget process.

Rep. Hagan said she didn't think there would be a large divide between the numbers.

"The fact that this group would not only give us long-range financial expectations but also analyze the three years previous to see how those numbers were accurate would allow it to evolve," she said.

Rep. Catherine Ingram (D-Cincinnati) questioned why the council was exempted from the Sunset Review process, saying that process can be helpful in reviewing the effectiveness of such a council.

Rep. Hagan said the General Assembly would be able to eliminate the council at any time if it wished.

Legislation Would Address High Court Ruling On Bindovers

A recent Ohio Supreme Court decision has prompted one lawmaker to try and address the issue of mandatory bindovers.

Sen. Cecil Thomas (D-Cincinnati) told members of the Senate Judiciary Committee Tuesday that his bill (SB 64) will eliminate the mandatory transfer from juvenile to adult court.

"It is recognized by the U.S. Supreme Court and the Ohio Supreme Court that juveniles are given special status and they are entitled to special considerations," he said. "Age should not be the only factor in the decision to transfer a juvenile to adult court."

In addition to eliminating mandatory transfers from juvenile to adult court, the legislation also modifies the factors a juvenile court must consider when making a discretionary transfer. It also provides the juvenile with the right to appeal a transfer decision.

The legislation has the backing of more than a dozen groups, including the ACLU of Ohio, the Ohio Justice & Policy Center and the Juvenile Justice Coalition.

In a letter to the panel, the groups wrote that more than 150 youths are transferred from juvenile to adult courts each year, and 80% of those transferred are black.

"Data indicates that the majority of these bindovers are mandatory, meaning the youth are bound over solely based on charges brought by the prosecutor without an individualized determination by a juvenile court judge beyond a finding of probable cause," the groups wrote.

"The vast majority of youth bound over to adult court receive sentences of 5 years or less with some youth only receiving community control or probation without a prison sentence, meaning they will return to Ohio's communities in a relatively short timeframe."

Instead of eliminating mandatory bindovers, Sen. John Eklund (R-Chardon) questioned why the measure does not just address the factors a judge must consider.

Sen. Thomas said he is open to that possibility.

"That is something that can be given some consideration," he said.

The legislation comes in the wake of the high court's December decision in *State v. Aalim*. In that case, the court struck down a portion of state law that allows for the automatic transfer of some juveniles to adult court. (See Gongwer Ohio Report, December 22, 2016)

However, with two new justices seated on the bench this year, the court agreed to reconsider its decision, and in a rare move, reversed course and found that the state constitution provides the General Assembly with exclusive authority to define the jurisdiction of common pleas courts. In 1996, lawmakers passed a law that requires 16- and 17-year-olds to automatically be transferred to adult court for certain offenses. (See Gongwer Ohio Report, May 26, 2017)

In a dissenting opinion, Chief Justice Maureen O'Connor said the ruling "does not bring justice for Ohio's children."

After receiving its first hearing, the bill was amended to address what the sponsor described as a technical issue.

Capitol Scene: Snitchler Joins API; Hollabaugh To Shumaker

Todd Snitchler, a former chairman of the Public Utilities Commission of Ohio, has been named group director of the American Petroleum Institute's market development department, it was announced Tuesday.

Mr. Snitchler, most recently with Vorys Advisors, will work with various parties to encourage increased demand for natural gas and a cleaner energy future.

"We are pleased to welcome Todd as our new head of Market Development," said API President and CEO Jack Gerard. "Under Todd's leadership, API will continue to promote the benefits from greater use of natural gas in power generation, manufacturing, commercial and residential markets, as well as the export of liquefied natural gas to assist allies and partners overseas, strengthen our balance of trade and play a leading role in the world market."

Before leading the PUCO, Mr. Snitchler represented the 50th District in the Ohio House of Representatives. At Vorys, he was involved in government affairs programs regarding energy and utilities.

Shumaker-Hollabaugh: Shumaker Advisors Ohio announced that Joseph M. Hollabaugh Jr. has been named vice president of the firm.

Mr. Hollabaugh, who has been involved with state government for more than two decades, is a former Ohio Senate staff member who also served in former Gov. Bob Taft's administration. He held roles in the 2000 Bush/Cheney campaign in Ohio, and worked with the Ohio Department of Commerce, LNE Group and JMH Management.

He holds a degree in political science from Ohio State University.

Attorney General's Opinion

No. 2017-029. Requested by Lake County Prosecuting Attorney Charles E. Coulson. SYLLABUS:

A county coroner who, prior to commencing his term of office, informs the board of county commissioners that he will engage in the private practice of medicine and during his term of office elects not to engage in the private practice of medicine, may not receive, for the remainder of that term of office, the salary set forth in R.C. 325.15(A) for a county coroner who does not engage in the private practice of medicine.

Supplemental Agency Calendar


Wednesday, September 20

Law Enforcement Gateway Advisory Group, BCI, 1560 State Route 56 SW, London, 10 a.m. (The Steering Committee meets afterward at about 11 a.m.)

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
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Sarah LaTourette Kayser <latoursm@gmail.com>

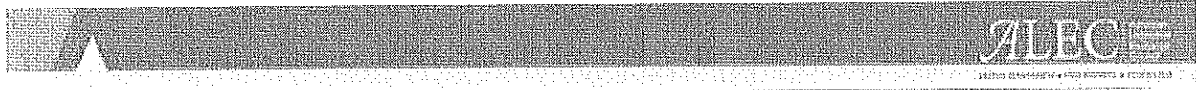
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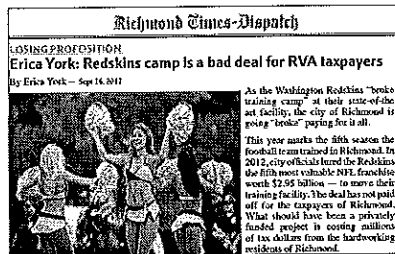


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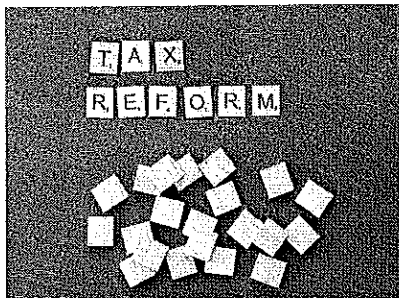
Redskins Camp is a Bad Deal for RVA Taxpayers

Erica York | Tax Analyst, ALEC Center for State Fiscal Policy | *Richmond Times-Dispatch*

ALEC Tax Analyst Erica York writes: "Richmond agreed to a \$10 million contract to build the Redskins training center. What should have been a privately-funded project is costing millions of tax dollars. Let's put an end to taxpayer-funded sports facilities..." [\(more\)](#)

In The News

New ALEC Survey Shows Wide Support for Tax Reform

Joel Griffith and Jonathan Williams | ALEC Center for State Fiscal Policy | *Political Vanguard*

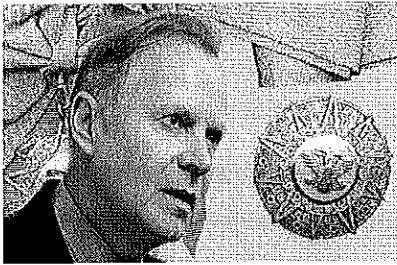
The senior members of ALEC's Center for State and Fiscal Policy discuss the results of their latest survey of state legislators and emphasize the need for meaningful tax reform in their op-ed for *Political Vanguard*... [\(more\)](#)

Member Focus

David Dreier Receives the Order of the Aztec Eagle

Karla Jones | Director, ALEC Federalism and International Relations Task Force

Former California Congressman David Dreier received the highest honor Mexico can bestow on a foreign national – the Aztec Eagle. Mexico's

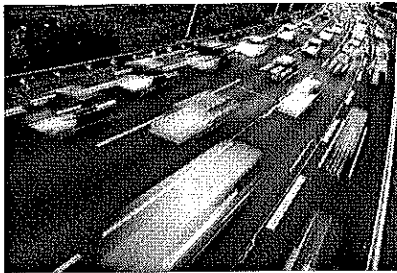


President Enrique Peña-Nieto honored Rep. Dreier because of his unwavering leadership on the U.S.-Mexico economic partnership, including his early and continuing support for the North American Free Trade Agreement (NAFTA)... [\(more\)](#)

Expert Insight

The Way is Paved for Autonomous Vehicle Technologies

Robert Ordway and Jonathon Hausenchild | American Legislative Exchange Council



The Federal Government is starting to act on Autonomous Vehicle Technologies. The Trump administration, through Secretary Elaine Chao and the U.S. Department of Transportation, just announced a new guidance document for automated driving systems... [\(more\)](#)

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Join policy leaders from across the country at the States & Nation Policy Summit in Nashville on Dec. 6-8. Register now to book your hotel room and save your spot... [\(register here\)](#)

Legislator of the Week Q&A

Fighting Big Government in Western PA



Find out what makes Senator John Eichelberger tick. Whether its railing against big government or looking for ways to balance the budget, this central PA legislator is passionate about serving his constituents. Fun fact: guess how many steaks he ate in one sitting to set a record? (hint: more than a dozen)...[\(more\)](#)

Expert Opinion

Protests: Enforce the Laws on the Books Before Writing New Ones

Daniel Turner | Analyst, ALEC Center to Protect Free Speech



Exercising one's free speech rights should be easy. It should not be like going to get a driver's license. The more rules, restrictions, caveats, and forms that are involved in free speech, the less likely people are to exercise their free speech rights... **(more)**

New Task Force: Homeland Security

The Homeland Security Task Force was created at our Annual Meeting in Denver. It will focus on security issues and how our principles of free markets and limited government can help solve them.

To find out more, email Task Force Director Jonathon Hauenschild: jhauenschild@alec.org.

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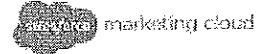


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OHIO REPORT FRIDAY, SEPTEMBER 22

Western Governors University Defends Learning Model After Audit Finds Teacher Interaction Is Lacking

Legislative Leaders Form Congressional Redistricting Work Group, But Democrats Are Leery

Bill To Weaken Energy Standards 'Not Dead,' According To Senators

Sponsor Says Student Savings Worth State Cost Of Latest Textbook Proposal

Kasich, Mayors Talk Partnerships In Opiate Epidemic

Medical Marijuana Dispensary Applications Available; Opposition To Federal Health Plan Continues

LPO Again Comes Up Short In Ballot Access Case; Former Cop To Remain In Prison; Township Lawsuit Can Move Forward...

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Volume #86, Report #184 -- Friday, September 22, 2017

Western Governors University Defends Learning Model After Audit Finds Teacher Interaction Is Lacking

A competency-based university the Kasich Administration has long supported is battling to keep its federal financial aid.

The U.S. Department of Education's Office of Inspector General this week released a final audit report challenging the role of faculty in Western Governors University courses.

The inspector general recommended the department require WGU to pay back at least \$713 million in federal financial aid and no longer be eligible for the funds because the audit determined students in most courses don't have regular and substantive interaction with faculty.

The findings harken to the debate over online charter schools in Ohio, which have seen their funding clawed back by the state over disputes regarding student participation.

"For each of the 102 courses required to complete the school's three largest programs, we reviewed course design materials for evidence that each course was designed to offer regular and substantive interaction between students and instructors, the key requirement to be considered a course offered through distance education," according to the USDOE's audit of the online university's 2013-14 funding year.

"We concluded that at least 69 of the 102 courses were not designed to offer regular and substantive interaction with an instructor and, therefore, did not meet the regulatory definition of distance education. Instead, these 69 courses met the Title IV definition of a correspondence course."

WGU, which earned Ohio's endorsement in the biennial budget (HB 49) and was the subject of extensive debate regarding a state designation plan that was eventually scrapped, is challenging the finding.

University President Scott Pulsipher said in a video posted to the WGU website that the federal distance education definition is outdated and shouldn't be used to determine effectiveness or funding eligibility of competency-based programs.

In fact, the DOE in 2014 issued guidance on distance learning that left eligibility up to accreditors because the definition of it hadn't been updated since 1992 when the internet was in its infancy, he said.

WGU's accreditation was reaffirmed in February by the Northwest Commission on Colleges and Universities.

"Because it's not the traditional model with an instructor holding class a couple times a week, the OIG's position is that the interaction with students is not considered regular and substantive," Mr. Pulsipher said of WGU's programs. "We disagree and so do others, including our accreditors."

"We are working with the Department of Education, legislators and policy makers to resolve this issue," he added.

Among those watching and waiting on the outcome include the Ohio Department of Higher Education. Of the 83,000 WGU enrollees, about 1,600 are Ohioans, according to the institution.

That number was expected to grow under the state's recent endorsement of WGU as a quality competency-based option.

The move was precipitated by administration efforts to designate the institution as a full-fledged state institution in every way except that it wouldn't receive state funding. (See [Gongwer Ohio Report, March 21, 2017](#))

The legislature instead took the endorsement route in the biennial budget after WGU realized it'd have to comply with a myriad of state laws and policies. Lawmakers and traditional institutions had also voiced skepticism over designation. (See [Gongwer Ohio Report, April 21, 2017](#))

The state's stake in the institution also magnified last year when the Ohio Association of Community Colleges and WGU partnered to offer a tuition discount to community college students and create a 3+1 transfer program for nursing students. (See [Gongwer Ohio Report, October 11, 2016](#))

"We are watching to see what happens at this point," ODHE spokesman Jeff Robinson said when asked if there is concern about how Ohio students could be impacted by the audit findings.

OACC Vice President Tom Walsh said community colleges are also tracking the issue. He opined that the federal policies may need updated to accommodate WGU's innovative learning and teaching models.

"At this point, it is too soon for us to determine what the impact will be on our students that transfer to WGU but it is something that we be monitoring closely," he said. "OACC continues to support multiple pathways that expand access to higher educational opportunities for all students, including working adults and low to moderate-income students, in order to increase the number of Ohioans with a postsecondary certificate, credential or degree."

According to various reports, experts suggest the Trump Administration isn't likely to act on the OIG's recommendations because of wide disagreement on the definition of distance learning used to determine funding eligibility.

Mr. Pulsipher said he is optimistic, but is also urging WGU supporters to contact elected officials and speak out against the OIG report.

"We have every expectation that we'll be able to resolve this issue," he said.

Legislative Leaders Form Congressional Redistricting Work Group, But Democrats Are Leery

House and Senate leaders on Friday announced a bipartisan working group to study the congressional redistricting process, but Democrats are already sounding warnings over a potential one-sided approach.

The end goal of the process could be a 2018 ballot issue that could compete with or substitute for an in-progress reform proposal being pushed by the Fair Districts = Fair Elections coalition. That plan seeks to wrest redistricting control away from lawmakers and place it into the hands of an independent commission. (See [Gongwer Ohio Report, June 1, 2017](#))

[Rep. Kirk Schuring](#) (R-Canton) and [Sen. Matt Huffman](#) (R-Lima) will co-chair the working group. Democratic caucuses are also expected to participate but have yet to select members for the four-person panel and are leery of the process.

Meetings are expected to begin this month, although dates, times and locations have not yet been determined.

The announcement makes good on House [Speaker Cliff Rosenberger](#) and Senate [President Larry Obhof's](#) recent comments foreshadowing the announcement of a process to study the issue. (See [Gongwer Ohio Report, September 21, 2017](#))

"With the responsibility of redrawing congressional districts quickly approaching, we feel the issue deserves thorough review and consideration, with the goal of finding common-sense reforms that will lead to a redistricting process that all interested parties can agree on," Speaker Rosenberger said. "I believe the creation of this panel, which I hope will be bipartisan, will yield an open exchange of ideas and input from varying perspectives."

Added Sen. Obhof: "I'm confident we can have a meaningful, bipartisan conversation about redistricting that can potentially show us a path forward to reform. I know that because we've been here before, particularly in the Senate, where we've been able to pass bipartisan congressional redistricting reforms twice in the last decade. I'm hopeful this dialogue will lead us again to a fair, constitutional process that we can take to Ohioans for consideration."

But the Senate's Democratic leader, concerned with undermining the Fair Districts' ballot effort, is already casting doubt on the plan. Senate Minority Leader Kenny Yuko (D-Richmond Hts.), in his own statement, also outlined his own expectations for the process, including televised public meetings, expert testimony and a commitment to push for a ballot issue only if all members of the working group agree.

"This week Republican Leadership informed us that they will put a congressional redistricting reform plan on the May 2018 ballot even without bipartisan support," Sen. Yuko said. "Such strong-arm tactics do not bode well for a constructive dialogue. Despite these difficulties, we still hope it is possible for the General Assembly to reach an agreement by working on a truly bipartisan basis."

John Forney, spokesman for the Senate Republican Caucus, said in an email of the lawmaker's statement, "It's unfortunate democrats would rather complain, than be part of a bipartisan working group that will make recommendations about redistricting."

According to the joint announcement, the group will review current law, gather public input and explore possible changes with the goal of drafting recommendations for lawmakers by early December.

Lawmakers would then consider whether to push a ballot issue to voters. The deadline for a 2018 ballot issue for the primary would be Feb. 7, although the General Assembly can put a proposal on the ballot on any date, the release notes.

Members of the Fair Districts coalition have said that although they continue to support bipartisan legislative action they will press ahead with their ballot effort until meaningful legislative reform occurs.

Bill To Weaken Energy Standards 'Not Dead,' According To Senators

Senate President Larry Obhof said he believes more hearings are in store this fall for a controversial bill to render Ohio's renewable energy standards optional.

That's despite relatively little talk over the summer about the bill (HB 114) or its odds in the Senate - a lack of chatter that left even sponsor Rep. Louis Blessing wondering if the bill is destined to die in the upper chamber.

"Without commenting further, I'd just assume it was dead," Rep. Blessing (R-Cincinnati) said this week. "That's how things go. It's the Senate's prerogative. We kind of knew going in."

But Sen. Obhof (R-Medina) and Sen. Troy Balderson, who chairs the Senate Energy & Natural Resources Committee that's reviewing the bill, both said it isn't dead. Still, a timeline for if and whether to move forward is unclear.

"We're going to continue to have conversations about that this fall," Sen. Obhof said. "I think the chairman will begin holding hearings relatively soon about that and we'll see where we end up."

Sen. Balderson (R-Zanesville) said he's unsure when he'll resume hearings on the measure. The bill had two Senate hearings last spring before formal discussion stalled heading into summer recess. The scores of

opponents that turned out for House testimony have yet to make their case before the Senate panel.

"It could go either way," Sen. Balderson said of the bill. "I wouldn't say it's dead. To my knowledge it is not dead."

Sen. Balderson said the key to the bill's passage will be whether lawmakers can arrive at a version of the bill that draws support from a majority of the caucus.

Also a factor are conversations with the administration that began last spring to find an agreeable compromise after Gov. John Kasich vetoed a less far-reaching version of the bill (HB554, 131st General Assembly) last session. (See Gongwer Ohio Report, December 27, 2016)

"That conversation's still happening though not as extensively," Sen. Balderson said of talks with the governor's team. "But most importantly it's here, what this chamber wants to do. We'll work with the administration but we have to get some people here on board too."

Samantha Williams, staff attorney for the Natural Resources Defense Council, said the group still believes the bill would put Ohio on the wrong course. But the ongoing discussion of energy issues marks an opportunity to craft legislation that supports clean energy and draws investment to the state, she said.

"The version of HB114 that passed the House last spring is a non-starter, wasting time on a settled issue," Ms. Williams said. "But the Senate is in a position to craft a bill that actually ensures Ohio can attract the tremendous wave of corporate and consumer interest in clean energy. Anything less would be a missed opportunity."

Proponents and Rep. Blessing have said the bill would shift the state away from mandates and toward incentives. Renewable energy and energy efficiency programs would continue, they argue, while wholesale price suppression would be curbed.

But critics say the bill will steer investment and clean energy jobs away from the state. Since HB554 failed, the standards have resumed after a two-year freeze and are resulting in benefits for the state, according to Trish Demeter, managing director of energy programs for the Ohio Environmental Council.

"They're delivering exactly what they promised: cleaner air, lower bills, a signal to clean energy businesses that we're ready and willing to have their investments in our state," Ms. Demeter said. "So we think Senate consideration of HB114 in its current state...sends the wrong message."

Also up for discussion is the latest effort (SB 188) from Sen. Cliff Hite (R-Findlay) to walk back wind turbine setback restrictions in an effort to foster wind energy growth.

That bill and a similar bill from Sen. Michael Skindell (D-Lakewood) have been scheduled for a first hearing Wednesday in Sen. Balderson's committee.

After House leaders stripped out Sen. Hite's budget amendment to accomplish that aim last spring, legislative leaders in both chambers have floated the idea of amending compromise setback language into HB 114. (See Gongwer Ohio Report, June 29, 2017)

Sen. Obhof this week again floated that possibility as a discussion point.

"I'd like to find a compromise that makes some progress on the standards but also on some other issues as well," Sen. Obhof said. "As most people know the Senate has a standalone related to wind energy. I'm not sure if that'll end up being done as part of one bill or not but I'm interested in looking at that subject overall and holistically."

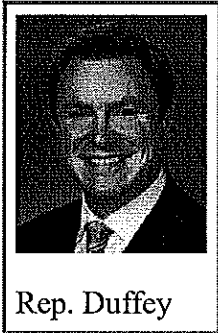
Ms. Demeter said folding the two bills into one would send a "mixed message." Despite their support for fixing wind setbacks, she said, HB114 without a substantial overhaul would remain "a fundamentally flawed bill."

Sponsor Says Student Savings Worth State Cost Of Latest Textbook Proposal

At first glance, newly introduced legislation that could save students millions of dollars each year when they purchase textbooks would appear to be a boon for a state that's made it a mission in recent years to reduce higher education costs.

The only hitch is that it would cost the state an equal amount in foregone revenue.

Rep. Mike Duffey (R-Worthington) recently reintroduced legislation (HB 337) to exempt college textbooks from the sales tax - a move he said is necessary even if expensive at first.



The bill stalled in the last General Assembly after the Department of Taxation estimated it would result in \$25 million in forgone annual state tax revenue and \$6 million in county tax revenue.

"I expect to get the same concerns we got before, which is there is a loss in revenue. I hear, 'it's a good idea but there is a loss of revenue,'" Rep. Duffey, chairman of the House Higher Education and Workforce Committee, said in an interview.

This time, he said, he's open to making some changes to the bill to allay concerns.

"I've thought about some kind of delayed trigger based on state revenues if we have a year in which state revenues exceed projections in excess of \$40 million then that goes into place and it's permanent from then," he said. "(The Office of Budget and Management) then could manage it into the future so it's not a surprise."

The tax change, Rep. Duffey said, would not only bring Ohio's policies in line with many other states, but also serve as a response to continued outcry over the costs of higher education and, in particular, textbooks.

In the most recent biennial budget, textbooks were a major point of debate as the administration sought to require colleges and universities to provide students with textbooks and allow them to charge students \$300 to recoup some costs.

"Everyone complains about the cost of education and textbook (prices) have risen inflationary over 1,000% since I was born, which is 1977," Rep. Duffey said, adding: "We don't need to add insult to injury on adding sales tax on top of it."

In its most recent survey, the National Association of College Stores, showed students spent an average of \$579 on 10 required course materials - a decline from \$602 in the previous academic year and \$701 in the 2007-08 school year.

The Oberlin-based group has also determined that 23 states have sales tax exemptions - some with limitations - on college textbooks. Another five don't levy any sales taxes, so textbooks were never taxed.

"Yes, textbooks generate sales tax for the state, but they're part and parcel of education. We don't charge sales tax on college tuition so why would we charge it on textbooks that are part of going to college?" Rep. Duffey asked.

The sponsor said student groups, such as university undergraduate student governments, were supportive of the bill in the last General Assembly. Institutions are also likely to silently cheer on the bill because it's preferable to past proposals requiring them to foot part of the bill for student textbooks, he said.

"They want anything that saves money for their students, especially if it doesn't cost them money and this doesn't cost them money so they have now reason to be opposed to it," Rep. Duffey said.

ODT Chief Legal Counsel Matt Chaffin said the agency won't take sides on the bill, but will provide updated estimates of revenue impacts.

If approved, he said ODT would provide guidance to vendors about the exemption. The administration of the tax could prove more complex than others, he said, because it is subjective in that the exemption would only apply to

students who can prove they need the textbooks for college courses.

Kasich, Mayors Talk Partnerships In Opiate Epidemic

Gov. John Kasich and administration officials met with a group of mayors this week as local and state leaders try to work together in fighting the opiate crisis.

The meeting came after the mayors wrote to the governor recommending state and local approaches to dealing with the drug problem.

"We had a very constructive meeting with Gov. Kasich and his Cabinet Opioid Action Team. We were very encouraged by the open and cooperative dialogue," Findlay Mayor Lydia Mihalik said in a statement Thursday. "Yesterday's meeting was an important step forward to help bring together state and local leaders on this challenging issue."

The meeting included the agency directors who make up the Governor's Cabinet Opioid Action Team, as well as Cincinnati Mayor John Cranley, Parma Mayor Tim DeGeeter, Kettering Mayor Don Patterson and Dr. Mysheika Roberts, assistant health commissioner for Columbus.

Jon Keeling, a spokesman for Gov. Kasich, said the problem is one that will take cooperation between state and local governments.

"Ohio is investing more than \$1 billion in our fight against drug abuse, and Ohio's mayors are vital partners as they serve on the front lines of the effort," he said in an email. "This meeting allowed Governor Kasich to make sure our cooperative efforts are being maximized, and he came away pleased with the mayors' enthusiasm and dedication to taking on this struggle in their own community."

The mayors said discussion included the coordination of state and local services and departments.

"The next step is to find ways to better coordinate state and local efforts, and we are optimistic about working with the Governor and his team to help do that," Mr. DeGeeter said.

Mr. Cranley said Medicaid has played a key role in paying for addiction treatment and offered support in protecting Medicaid expansion at the state and federal level.

"Medicaid is one of the most important tools in our fight against opioid addiction," he said. "The threat to reduce this funding is very real and we are ready to partner with Gov. Kasich in any way that we can to protect Medicaid funding."

Mr. Patterson said the work to fight the drug problem at the state level must continue.

"The opioid crisis affects almost every community in every corner of the state," he said. "The governor, the state legislature, and the attorney general have done some important work to confront this crisis, but we can't let up and we have to continue doing whatever we can to contain the scourge of opioid addiction in Ohio."

House Task Force: The Speaker's Task Force on Heroin, Opioids, Prevention, Education and Safety announced a location for its Oct. 16 meeting at Wright State University. The roundtable will be held at 1 p.m. at the Berry Room in the Nutter Center. (See Gongwer Ohio Report, September 15, 2017)

A location has yet to be determined for the Oct. 17 roundtable in Columbus, and a date has yet to be set for a roundtable in Portsmouth.

Medical Marijuana Dispensary Applications Available; Opposition To Federal Health Plan Continues

Applications for medical marijuana dispensary licenses were released this week, with the paperwork due in November.

The state expects to issue licenses to medical marijuana cultivators by November, and officials have said they plan to have those licenses issued before accepting dispensary licenses. That way any companies that plan on vertically integrating their businesses will know before going through the process if they've received a cultivator license. (See [Gongwer Ohio Report, August 10, 2017](#))

Information on dispensary applications is available on the Medical Marijuana Control Program's website. Applications will also be submitted online.

The applications will be accepted Nov. 3 through Nov. 17.

The process has drawn praise from industry officials. Thomas Rosenberger, executive director of the National Cannabis Industry Association of Ohio, said the application release marks another milestone in the process.

"Today's release of the dispensary application marks a major milestone in ensuring Ohio's medical marijuana program is operational by the September 8th, 2018 statutory deadline," he said in a statement. "The State of Ohio Board of Pharmacy showed a commitment to patient safety and access throughout the dispensary rules writing process, and we believe that commitment will again be demonstrated by both dispensary applicants and state regulators during the application process."

The Department of Commerce also released a set of answers to questions about the application process for medical marijuana testing laboratories. The department said it will license both public institutions of higher education and private testing labs.

Hocking College announced earlier this month that it intends to seek a testing lab license. (See [Gongwer Ohio Report, September 5, 2017](#))

The Department of Commerce said it will also be able to issue licenses to private labs starting in July 2018.

Federal Health Bill: The latest iteration of efforts by U.S. Senate Republicans to repeal and replace the Affordable Care Act appeared to hit a major hurdle Friday afternoon as U.S. Sen. John McCain (R-Ariz.) announced he would not support the proposal.

The measure, proposed by Sens. Lindsey Graham of South Carolina and Bill Cassidy of Louisiana, was met with opposition by medical groups, advocates and others as it appeared to gain steam this week.

Gov. John Kasich repeatedly voiced his opposition to the measure, instead pushing for a bipartisan approach to fix problems in the individual insurance market. (See [Gongwer Ohio Report, September 19, 2017](#))

The Governor's Office of Health Transformation this week released estimates of what effect the Graham-Cassidy proposal would have on Ohio. Estimates showed Ohio losing between \$4 billion and \$9 billion in federal funds to support coverage, leading to about a 5% cut in federal funding.

Lori Criss, CEO of the Ohio Council of Behavioral Health & Family Services Providers, urged U.S. Sen. Rob Portman (R-Terrace Park) to oppose the bill.

"This proposal would block grant and cap federal funding, radically altering the Medicaid financing process, causing Ohio to end Medicaid expansion and lose \$9 billion in the middle of Ohio's opioid crisis - this is unconscionable," she said in a statement.

"Simply adding opioid treatment grant funding to the bill is insufficient and misguided, and not a substitute for comprehensive health coverage," she added. "Grant funding is limited in scope, quantity and duration; when it runs out, so does the treatment. By relying on a woefully inadequate grant fund to replace lost Medicaid health coverage, Graham-Cassidy will cripple states in their efforts to fight the opioid epidemic. Indeed, the Graham-Cassidy repeal and replace plan would likely force Ohio to cut benefits and restrict access to critical behavioral health and addiction services - reversing much of the progress Ohio has made in fighting the opiate crisis."

LPO Again Comes Up Short In Ballot Access Case; Former Cop To Remain In Prison; Township Lawsuit Can Move Forward...

The Libertarian Party of Ohio has lost another round in its long-running legal battle for ballot access.

The Tenth District Court of Appeals has sided with the Franklin County Common Pleas Court in ruling that a 2013 state law (SB193, 130th General Assembly) is constitutional.

The LPO raised several issues in the case, including that the law that took effect in early 2014 violates the equal protection clause of the state's Constitution.

The law "does not operate to restrict party affiliation to only major party voters. Instead, upon meeting the 3% vote requirement in the immediately preceding election necessary to retain its status as a minor party, a minor party may participate in the primary election process and thereby have affiliated voters," Judge Julia Dorrian wrote in the court's unanimous decision.

"Thus, it is true that Ohio's election law scheme places some burden on minor political parties by requiring them to establish a modicum of political support before they can participate in the primary process and thereby have voters declare affiliation with their party. However, we find that LPO has not demonstrated how this amounts to a severe burden on its rights."

Former Cop: A former Akron police officer will remain in prison after an Ohio Supreme Court ruling.

In a 5-1 per curiam decision, the high court upheld a Ninth District Court of Appeals ruling that reversed a trial court's 2013 decision to deem Douglas Prade innocent and release him from prison based on new DNA testing ordered by the high court in 2010.

"We hold that R.C. 2945.67(A) and 2953.23(B) unambiguously allow the state an absolute right to appeal a judgment granting post-conviction relief. Therefore, Prade has not demonstrated that the Ninth District's exercise of jurisdiction over the state's appeal was unauthorized by law," the court wrote.

"Likewise, he fails to demonstrate that Judge Croce lacked jurisdiction to carry the Ninth's District's judgment into effect on remand or that the Ninth District lacks jurisdiction over his pending appeal of Judge Croce's denial of his motion for a new trial."

Mr. Prade was convicted of the 1997 murder of his former wife and sentenced to life in prison. In 2008, he asked for additional DNA testing of a lab coat she was wearing at the time of her death, the high court's media arm reported.

The request was denied by both the trial and appellate courts. However, the high court ordered the testing to be conducted.

Based on the results, Mr. Prade sought a new trial or post-conviction relief. The trial court ordered him released from prison in 2013. But the prosecutor appealed that ruling, and the appellate court reversed the trial court decision. Another common pleas court judge reinstated his conviction and ordered him to be returned to prison, where he has been held since July 2014.

Justice Bill O'Neill cast the lone "no" vote in the case.

"To remedy what I consider to be an astounding miscarriage of justice, I would grant a peremptory writ of prohibition directing the trial court to vacate its March 11, 2016 order reconsidering and denying Prade's motion for a new trial and to reinstate the January 29, 2013 order for a new trial," he wrote.

Chief Justice Maureen O'Connor did not participate in the case.

Township Lawsuit: An Ottawa County township can challenge in common pleas court a company's right to fill a rock quarry.

In a unanimous per curiam decision, the high court ruled that nuisance and zoning ordinance claims raised by Benton Township against Rock Ridge Development LLC can be contested in common pleas court.

However, the court also ruled that challenges to the company's permit must be addressed by the Environmental Review Appeals Commission, according to the court.

"Without question, some of the allegations in the Benton Township complaint directly challenge the wisdom of the LAMP permit and therefore fall squarely within the jurisdiction of ERAC," the opinion stated.

The case stems from permits issued to the company by the Ohio EPA in 2014 and 2017 to allow it to use spent lime in a soil blend to increase the elevation and improve the property's drainage.

Supplemental Process: The ACLU of Ohio and Demos have weighed in on a U.S. Supreme Court case involving Ohio's maintenance of its voter rolls.

The groups filed an amicus brief in a case that could determine the constitutionality of the state's "Supplemental Process," in which the secretary of state's office cancels the registration of those who do not vote in three successive federal elections or in the intervening local elections. (See Gongwer Ohio Report, May 30, 2017)

"The purging of eligible voters has not increased the accuracy of voter rolls or done anything to further the integrity of elections. Quite to the contrary: the purge systematically disenfranchises perfectly eligible Ohioans for merely exercising their right not to vote," said Freda Levenson, legal director of the ACLU of Ohio.

"The Sixth Circuit Court of Appeals declared that such purges violate the National Voter Registration Act. And the Supreme Court, we hope, will confirm this. At a time when the nation's faith in our democratic process is at an all-time low, this case represents an opportunity to right the wrong of Ohio's voter purges, and take a significant step toward fair and just elections."

Oral arguments in the case are slated for Nov. 8.

Execution Dates: Ohio has two more executions scheduled after the state's high court on Friday set dates for Percy Hutton and Cedric Carter to die by lethal injection.

Mr. Carter, who was convicted of the 1992 murder of Frances Messenger, is scheduled to be executed on Aug. 24, 2022. Mr. Hutton, who was convicted of the 1986 murder of Derek Mitchell, has an execution date of June 22, 2022.

Public Records: A law (SB321, 131st General Assembly) passed last year has proven to be successful in solving public record disputes.

The high court reported that 82 public records cases have been filed through Aug. 30 with the Court of Claims through the process created by the law. Of those, 55 cases have been closed, 75% of which were resolved through mediation.

Just 17% of cases were considered by a special master.

"It gives self-represented litigants access to a court to hear their claim fairly quickly and get a quick up-or-down decision on whether they have a right to the record they're requesting," Mark Reed, clerk of the court, said. "It provides the public with greater access to justice."

Attorney Theft: The Board of Commissioners of the Lawyers' Fund for Client Protection awarded nearly \$230,000 to 29 victims of attorney theft at its September meeting.

Wayne National Forest Fracking Auctions Continue; Enviro Groups Blast Rover As OEPA Hikes Fines...

The Bureau of Land Management on Thursday auctioned off another chunk of mineral rights within the Wayne National Forest - drawing renewed criticism from environmental groups and praise from the oil and gas industry.

Mineral rights for 141 acres were auctioned off, drawing \$192,023 in revenue. It's the third such auction and represents only a fraction of the 18,000 the BLM intends to sell from the Marietta Unit.

So far, 1,817 acres have been auctioned since December, which has drawn scorn from opponents like the Center for Biological Diversity.

"Fracking has encroached on communities all over eastern Ohio. Now the few remaining public forests are under threat, along with wildlife and public health," said Taylor McKinnon, CBD public lands campaigner. "These precious forests provide healthy watersheds, wildlife refuges and peaceful recreation. They should be entirely off limits from polluting wells, pipelines and heavy truck traffic."

Energy-in-Depth Ohio, a pro-oil and gas publication, meanwhile argued the sales are "changing lives" by driving revenue toward communities. The state will receive about 25% of the sale with effected counties also receiving a slice, EID argued.

"Leasing and development are going to provide tremendous benefits for nearby communities in the coming years - especially if local schools near Ohio are any indicator," according to EID.

Environmental groups earlier this year filed an administrative challenge and a lawsuit seeking to halt the auctions. (See [Gongwer Ohio Report, August 2, 2017](#))

Rover: In other developments involving Wayne National Forest, environmental groups including the CBD also blasted the Rover Pipeline project, the route of which transverses the northeastern part of the Marietta Unit.

The criticism follows months of debate over the project, which has spilled more than 2 million gallons of drilling lubricant, including traces of diesel fuel, into Ohio wetlands.

"We've seen problem after problem with the construction phase of the Rover Pipeline, and it isn't even in operation yet," said Nathan Johnson of the Ohio Environmental Council. "The last thing we want to see is a pipeline spill or explosion in the Wayne, not to mention mile upon mile of holes punched through the Wayne's forest cover."

Craig Butler, director of the Ohio Environmental Protection Agency, told media earlier this week the agency has asked [Attorney General Mike DeWine](#) to collect \$2.3 million in civil penalties from the company.

The agency had initially sought \$914,000 in penalties but has continued to argue with the company over its steps toward compliance. (See [Gongwer Ohio Report, July 10, 2017](#))

Rover Pipeline LLC and its parent, Energy Transfer Partners, maintain they are working with OEPA and federal regulators to address any outstanding issues.

Nexus: The Sierra Club is asking federal regulators to reconsider authorization of the Nexus Pipeline and to stay the project while the group's request is considered.

The Federal Energy Regulatory Commission on Aug. 25 issued certificates for the \$2 billion project, clearing a major regulatory hurdle. FERC has not yet responded to Sierra Club's rehearing request, which was submitted Thursday. (See [Gongwer Ohio Report, August 28, 2017](#))

The group contends the commission's order and the environmental impact statement it is based on violated the Natural Gas and the National Environmental Policy acts.

"Sierra Club members and the public at large will suffer irreparable harm if Nexus is allowed to go forward," the group alleges. "It is contrary to the public interest to permit a pipeline based on speculation and without a proper review of its environmental impacts to result in the irreversible destruction of the environment and the forcible taking of private property."

Politics Notebook: Ballot Board Certifies Puppy Mill Issue; Foodbank Group Exits ACA Program; GCP Opposes Issue 2

The Ballot Board on Friday certified a proposed constitutional amendment on regulations for dog breeders as a single issue, paving the way for proponents to start collecting signatures.

The proposal, backed by a coalition that includes the Humane Society of the United States, is intended to crack down on so-called "puppy mills" in the state.

Ballot Board members had no questions for attorney Don McTigue, who represents the issue's supporters. No opponents testified before the board. ([Certification letter](#))

Attorney General Mike DeWine certified the proposed language earlier this week. Backers can now start collecting the 305,591 signatures needed to meet their goal of getting the issue on the ballot in November 2018.

The signatures must include totals in each of at least 44 counties equaling 5% of the vote for governor in 2014.

Proponents of the issue said the proposal would give Ohio the toughest puppy mill law in the country, requiring standards for the animals' food and water, the cleanliness of their enclosures and temperature control. (See [Gongwer Ohio Report, September 18, 2017](#))

Opponents, including breeders and agricultural groups, say a 2013 law regulating commercial breeders has worked, and the standards don't need to be enshrined in the state constitution.

Foodbanks/ACA: The Ohio Association of Foodbanks dropped out of the Affordable Care Act's "navigator" program this week in the wake of its funding being gutted by the Trump Administration.

The initiative, aimed at helping people enroll in the beleaguered health insurance program, is one of several facets of the ACA under assault by majority Republicans looking to "repeal and replace" the act.

OAF has received funding as part of a consortium of Ohio groups involved in the navigator program. Executive Director Lisa Hamler-Fugitt said in a statement that the funding cuts made it impossible to continue.

"Over the past three weeks, the nonprofit organizations that make up our Navigator consortium and their hardworking staff have been held hostage by what we believe is a political maneuver to damage the viability and stability of the Affordable Care Act," she said. "Although we have consistently received positive feedback from the Centers for Medicare and Medicaid Services (CMS), and have nearly met, met, or exceeded all of our goals, we received word last week that we would be eligible for just 29 percent of our funding."

"What's more, we still have received no explanation for what methodology was used to determine our funding, who determined the methodology or how it was applied."

"Without adequate funding or a viable path forward, we have been forced to make an impossible choice," Ms. Hamler-Fugitt added. "Due to this decision by CMS, Ohio consumers who need unbiased, in-person help with learning about, shopping for and enrolling in health care coverage will lose access to trusted Navigator resources in their communities. It will also result in direct job losses for hardworking Navigator personnel that have achieved incredible results during their tenures. It is with incredible disappointment that we regrettably announce our decision to exit the Navigator program."

GCP On Ballot Issues: The Greater Cleveland Partnership recently voted to endorse two local ballot proposals and oppose statewide Issue 2, the drug price initiative.

"The proposed initiated statute, Issue 2, would attempt to prohibit the state from purchasing a prescription drug unless the net cost of the drug is equal to or less than the lowest price paid for the drug by the U.S. Department of Veterans Affairs. Unfortunately, it is highly unlikely the proposal could be implemented or be able to achieve its purpose," the group stated in a release. "Issue 2 is vague and lacks certain definitions, meaning it is questionable how differing entities and state agencies would choose to implement it."

GCP backs the renewal of the Port of Cleveland's 0.13-mill operating levy, and a 0.5-mill bond issue for Cuyahoga Community College facilities.

Agency Briefs: Audit Cites Home Health Aides Over Certification; Labor Force Detailed; SBA; ODNR

A Medicaid provider in Pickaway County owes the state almost \$141,000 after home health employees let their first aid certification expire, according to State Auditor Dave Yost.

The audit found Constance Care Home Healthcare LLC had more than a dozen aides who provided services in 2015 when they failed to meet qualifications.

Employees were told a certificate for completing in-house first aid training as part of their orientation was valid as long as they stayed with the company, but that certification is only valid for a set period, usually two years, according to the report.

Of the company's 30 aides tested, 13 let their Red Cross certification expire and administered 101 total services after the expiration. Auditors also found 19 services that had no supporting documentation.

The auditors determined the company was overpaid by \$135,135 and owes \$140,910 with interest.

Auditors also found the company gave certificates to employees who had obtained certification through the Red Cross but who had not participated in the company's training.

"Aides have to maintain first aid certification by attending renewal courses to freshen their skills," Auditor Yost said in a statement. "This company unwisely took a shortcut and gave some employees a free pass instead."

A separate audit of a Mansfield group home found the provider was paid \$9,057 for services that did not occur or were not authorized.

The overpayments happened when Chenita Group Home claimed reimbursement for services to two patients after they were discharged in 2014.

"Constant vigilance is needed to ensure that taxpayer dollars are being spent as intended" Auditor Yost said. "Overbilling such as this is an unacceptable drain on resources intended to help Ohio's neediest citizens."

Labor Force: The unemployment rate rose in five Ohio counties, dropped in 75 counties and remained the same in eight in August. County rates ranged from 3.2% in Mercer County to 8.5% in Meigs County, according to the state.

Eleven counties had rates at or below 4% in August, including Mercer, Holmes, Putnam, Wyandot, Delaware, Auglaize, Hancock, Union, Madison, Van Wert and Wayne, according to the state.

Eight counties had rates at or above 7%, including Meigs, Monroe, Lorain, Scioto, Adams, Coshocton, Cuyahoga and Jefferson.

Small Business Administration: The U.S. SBA said federal disaster loans are available to small businesses, agricultural cooperatives and private nonprofit organizations in Ohio as a result of rain and flooding from May 25 to July 15 in Allen, Auglaize, Mercer, Paulding, Putnam and Van Wert counties.

Eligible entities that suffered losses as a result of the disaster are eligible, but the SBA cannot provide loans to agricultural producers, farmers or ranchers except aquaculture enterprises.

Loans can be up to \$2 million with interest rates of 2.5% for private nonprofits and 3.215% for small businesses.

Applications can be submitted online.

Natural Resources: The Division of Oil and Gas Resources Management also reported that 2,620 permits had been issued for drilling in the Utica shale as of Sept. 16, with 2,123 wells drilled and 1,683 wells producing.

The department also urged Ohioans to help protect monarch butterflies by protecting milkweed plants, which are essential to their caterpillars.

The ODNR said landowners who want to help create more habitats for the butterflies and other pollinators can contact a Division of Wildlife biologist by calling 800-WILDLIFE.

Governor's Appointments

Hocking Technical College Board of Trustees: Mike Brooks of Nelsonville (Athens Co.) was reappointed for a term beginning Sept. 22 and ending Aug. 26, 2020.

Northeast Ohio Medical University Board of Trustees: Phillip L. Trueblood of Lima (Allen Co.) has been appointed to the for a term beginning September 22, 2017, and ending September 21, 2026.

Credit Union Council: Kristen Scott of Dublin (Franklin Co.) was reappointed and Robin D. Thomas of Bedford (Cuyahoga Co.) appointed for terms beginning Sept. 23 and ending Sept. 22, 2020.

Supplemental Agency Calendar

Monday, September 25

Tax Credit Authority, Rm. South A, 31st Fl., 77 S. High St., Columbus, 10 a.m.

Tuesday, September 26

Minority Development Financing Advisory Board, Rm. East B, 31st Fl., 77 S. High St., Columbus, 10 a.m.

Wednesday, September 27

EMIS Advisory Board, Rm. 017, Statehouse, Columbus, 1 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., Columbus, 1:30 p.m.

Thursday, September 28

House Speaker's Task Force on Education & Poverty, 77 S. High St., 31st Flr. West Room B&C, Columbus, 10:30 a.m.

Monday, October 2

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, MetroHealth, Scott Auditorium, Cleveland, 1:30 p.m.

Thursday, October 5

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, Center for Addiction Treatment, Spaulding Recovery and Family Care Building, Cincinnati, 12 p.m.

Thursday, October 12

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, Summa Health, Corporate Office, Akron, 12 p.m.

Sunday, October 15

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, Wright State University, Nutter Center, Berry Room, Fairborn, 1 p.m.

Supplemental Event Planner

Monday, September 25

Attorney General Mike DeWine to host conference on addiction treatment, Ohio Farm Bureau 4-H Center, 2201 Fred Taylor Dr., Columbus, 8:30 a.m.

Rep. Hearcel Craig (D-Columbus) news conference on legislation regarding fair housing, George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.


Wednesday, October 18

Sen. Sandra Williams (D-Cleveland) fundraiser, Einstein's, 41 S High Street, Columbus, 7:30 a.m., (Platinum Sponsor - \$1,000; Gold Sponsor - \$500 or Suggested Contribution - \$350 to Friends of Sandra Williams)

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
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Senate Activity for Friday, September 22, 2017

DELIVERED TO THE GOVERNOR

SB POLICE CHIEF TRAINING (Hite, C.) To require the Ohio Peace Officer Training Commission to
37 develop and conduct a chief of police training course for newly appointed village, city, and township chiefs
■ of police.

SB AWARENESS DAY (Kunze, S.) To designate the seventeenth day of May as "Diffuse Intrinsic Pontine
57 Glioma Awareness Day."
■

17 S. High St., Suite 630
Columbus Ohio 43215

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Daily Activity Planner for Saturday, September 23-Monday, September 25

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Monday, September 25

Tax Credit Authority, Rm. South A, 31st Fl., 77 S. High St., Columbus, 10 a.m.

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

Event Planner

Monday, September 25

Attorney General Mike DeWine to host conference on addiction treatment, Ohio Farm Bureau 4-H Center, 2201 Fred Taylor Dr., Columbus, 8:30 a.m.

Rep. Hearcel Craig (D-Columbus) news conference on legislation regarding fair housing, George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 16405 U.S. Highway 23, Ashville, 11 a.m., (11:00am Registration and Lunch; 12:00pm Shotgun Start. Event Sponsor: \$1,500; Green Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Hole Sponsor: \$100 to Friends of Gary Scherer)

Sen. Frank LaRose (R-Hudson) golf outing fundraiser, Firestone Country Club, 452 East Warner Road, Akron, 11:30 a.m., (Lunch & Range Time 11:30am. Tee times starting at 1:05pm. \$300 Lunch Only | \$1,000 Lunch and Golf to LaRose for Ohio)

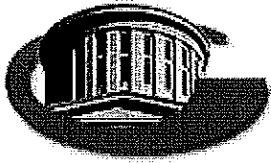
17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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House Activity for Friday, September 22, 2017


DELIVERED TO THE GOVERNOR

HB 59 DAY DESIGNATION (Leland, D., West, T.) To designate October 7 as "Moses Fleetwood Walker Day."

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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Legislative Committee Schedules beginning 9/25/2017

Tuesday, September 26

Senate Local Government, Public Safety & Veterans Affairs (Committee Record) (Chr. Uecker, J., 466-8082), South Hearing Rm., 9:45 a.m.

SB WASTE COLLECTION VEHICLES (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside. (3rd Hearing-All testimony)

SB ACCIDENT REPORTS (Kunze, S., Huffman, M.) To require an accident report to indicate whether any person involved in the accident wishes to be contacted for commercial solicitation purposes, to prohibit any person from using the information contained in an accident report for those purposes with regard to a person who did not agree to be contacted, and to allow a person to submit emergency contact information upon vehicle registration for inclusion in the next of kin database. (2nd Hearing-Proponent)

SB COMMERCIAL DRIVER LICENSES (LaRose, F.) To require the Director of Public Safety to seek approval from the United States Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license that applies to present and former military personnel. (1st Hearing-Sponsor)

HB RECORDS EXEMPTION (Hambley, S., Rezabek, J.) To exempt from the Public Records Law certain information concerning a minor that is included in a record related to a traffic accident involving a school vehicle in which the minor was an occupant at the time of the accident. (4th Hearing-All testimony-Possible amendments)

HB DRIVER'S LICENSES (Hambley, S., Rogers, J.) To authorize the issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card to facilitate land and sea border crossings between the United States and Canada and Mexico, pursuant to an agreement with the United States Department of Homeland Security. (2nd Hearing-Proponent)

HB DISTRACTED DRIVING (Hughes, J., Seitz, B.) To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import. (3rd Hearing-All testimony)

HB COURT JURISDICTIONS (Craig, H., Seitz, B.) To specify the jurisdiction of municipal and county courts over municipal traffic ordinances and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipal corporation that does not have the authority to establish a mayor's court. (3rd Hearing-All testimony-Possible amendments)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

- Confirmation hearing on governor's appointments of Paul Bailey and Carol Hamilton O'Brien, Ohio Organized Crime Investigations Commission

SB ELDER FRAUD (Wilson, S.) To develop best practices and educational opportunities to combat elder fraud and exploitation and to fine and require full restitution from offenders who are found guilty of certain fraud-related crimes against the elderly. (3rd Hearing-All testimony-Possible amendments & vote)

HB MONTH DESIGNATION (Sykes, E., Perales, R.) To designate February as "Teen Dating Violence Awareness Month." (3rd Hearing-All testimony-Possible amendments & vote)

HB CRIMINAL RECORDS (Barnes, J.) To prohibit a person who publishes or disseminates criminal record information from soliciting or accepting a fee to remove, correct, modify, or refrain from publishing or otherwise disseminating the information and to provide criminal and civil remedies for a violation of the prohibition. (3rd Hearing-All testimony-Possible amendments & vote)

SB QUALIFIED IMMUNITY (Lehner, P.) To expand the circumstances in which qualified immunity from civil liability applies with respect to volunteer health care services provided to indigent and uninsured persons. (1st Hearing-Sponsor)

SB DEATH PENALTY (Brown, E.) To abolish the death penalty and to declare an emergency. (1st Hearing-94 Sponsor)

SB CHILD SUPPORT (Beagle, B.) To make changes to the laws governing child support. (2nd Hearing-125 Proponent)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m.

- Confirmation hearing on governor's appointments of Donald Ortner and Teresa Gardner, Lorain County Community College Board of Trustees; Drew Forhan, Bowling Green State University Board of Trustees; Dustin Parke and Jeremy Moyers, Financial Planning and Supervision Commission for Village of Mt. Sterling; John DeMarco, Cleveland State University Board of Trustees; Stephen Casciani, Ohio University Board of Trustees and William Nurczyk, Jr., Eastern Gateway Community College Board of Trustees

SB VOTING EQUIPMENT (LaRose, F.) To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program. (1st Hearing-Sponsor)

HB REVENUE OBLIGATIONS (Blessing, L., Gavarone, T.) To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. (4th Hearing-All testimony-Possible amendments)

HB FANTASY CONTESTS (Dever, J., McColley, R.) To grant the Ohio Casino Control Commission the authority to regulate fantasy contests and to exempt fantasy contests from the gambling laws. (3rd Hearing-All testimony)

Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.

- Presentation from JMOC Director Susan Ackerman on Medicaid 1115 Waivers, Healthy Ohio, Healthy Indiana, and initiatives from other states

HB MONTH DESIGNATION (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month." (1st 45 Hearing-Sponsor)

SB CONVERSION THERAPY (Tavares, C.) To prohibit certain health care professionals from engaging in conversion therapy when treating minor patients. (1st Hearing-Sponsor)

SB AGENCY CONTRACTS (Manning, G.) To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval. (3rd Hearing-All testimony-Possible amendments & vote)

Wednesday, September 27

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB PROPERTY TAX COMPLAINTS (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (1st Hearing-Sponsor)

SB BUSINESS INCOME (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (2nd Hearing-Proponent)

SB RURAL JOBS (Hite, C.) To enact the "Ohio Rural Jobs Act" which authorizes a nonrefundable tax credit for insurance companies that invest in rural business growth funds, which are certified to provide capital to rural and agricultural businesses. (2nd Hearing-Proponent)

HBTIF DISTRICTS (Cupp, R.) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (3rd Hearing-All testimony)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

SB LEGAL MATERIALS (Skindell, M., Eklund, J.) To adopt the Uniform Electronic Legal Material Act. (5th Hearing-All testimony-Possible vote)

SB DISABILITIES COUNCIL (Burke, D.) To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities and to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council. (4th Hearing-All testimony-Possible vote)

HGB GOVERNMENT CONTRACTING (Cupp, R.) To abolish the Government Contracting Advisory Council. (3rd Hearing-All testimony-Possible amendments & vote)

SB ELECTION PROCEDURES (Uecker, J.) To reduce the minimum number of precinct election officials in a precinct in which electronic pollbooks are used and to eliminate the requirement that a board of elections send a notice to a person's residence address when the board cancels the person's voter registration because it received a report of the person's death. (2nd Hearing-Proponent-Possible amendments)

HB REAL ESTATE APPRAISERS (Dever, J.) To change the definition of "appraisal" for purposes of the Real Estate Appraiser Licensing Law, to make changes to certain procedures and the exceptions to licensure under that law, to regulate appraisal management companies, and to declare an emergency. (3rd Hearing-Opponent & interested party)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

Senate Energy & Natural Resources (Committee Record) (Chr. Balderson, T., 466-8076), Finance Hearing Rm., 2:30 p.m. or after session

SB LAKE ERIE (Skindell, M., Eklund, J.) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (4th Hearing-All testimony-Possible vote)

SCROIL MARKETS (Hoagland, F.) To urge the Congress of the United States and the President of the United States to take certain actions to counter manipulation of the oil market by the Organization of Petroleum Exporting Countries (OPEC). (1st Hearing-Sponsor)

SB WIND SETBACKS (Skindell, M.) To alter the minimum setback requirement for wind farms of five or more megawatts. (1st Hearing-Sponsor)

SB WIND TURBINE SETBACKS (Hite, C.) To revise wind turbine setback provisions for economically significant wind farms. (1st Hearing-Sponsor)

Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.

- Confirmation hearing on governor's appointments of Stephanie Davidson, Ph.D. and John (Jack) Hershey, Midwestern Higher Education Compact Commission

SB SCHOOL OPERATIONS (Schiavoni, J.) Regarding community school operator contracts, the operation of

39 Internet- and computer-based community schools, and performance metrics for blended learning schools.

■ (2nd Hearing-Proponent)

SB MONTH DESIGNATION (Tavares, C.) To designate the month of October as "Ohio Principals Month."

105(2nd Hearing-All testimony-Possible vote)

■ **HBCOMPUTER SCIENCE** (Carfagna, R., Duffey, M.) With regard to academic content standards and **170**curriculum requirements for computer science; to revise educator qualifications regarding computer science; and to authorize public schools to establish computer science and technology funds. (2nd Hearing-Proponent)

Monday, October 2

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the ■ after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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Sarah LaTourette Kayser <latoursm@gmail.com>

Quick Request- Sign the ALEC letter to Congress

1 message

Jonathan Williams <jwilliams@alec.org>
To: latoursm@gmail.com

Sat, Sep 23, 2017 at 11:03 AM

To view this email as a web page, go [here](#).



Dear ALEC Legislative Members,

Congress needs to hear from you, the state legislators, on the pressing need for Tax Reform. The State and Local Tax (SALT) represents a roadblock to broad federal tax reform, and shifts the cost of mismanagement on to taxpayers. Investment in business growth is more important than subsidizing state and local government spending. Americans need pro-growth tax reform to ensure a robust economy and to promote prosperity.

Please read the letter below and consider signing on to share your voice with Congress. ALEC will share this letter and your support this week during critical tax discussions, and I need to you to sign on right away. In addition, if you have any colleagues who might agree with this letter, please forward this e-mail and request they sign on. To sign, simply click the button below and fill out the form on the signature page.

Sincerely,

Jonathan Williams,
Chief Economist
ALEC

[Sign the Letter Here](#)

An Open Letter to Congress: Reduce Tax Rates for All Taxpayers by Eliminating Unproductive SALT Deduction

States desperately need a return to robust national economic growth in addition to fiscal discipline on the spending side of the ledger. **Eliminating the state and local tax (SALT) deduction would provide upwards of \$1.5 trillion over the next decade to implement broad-based tax cuts nationally.** This overhaul would spur the growth in economic output needed to jolt business investment, personal income growth, and job growth.

In addition to being a roadblock to broad federal tax reforms, the SALT deduction partially shifts the costs of mismanagement elsewhere. Thanks to SALT, income earners and businesses in lower-taxed states pay a higher effective federal income tax rate than their high-taxed counterparts since they deduct less from their taxable income. **In effect, citizens in more fiscally responsible regions subsidize the malfeasance of politicians thousands of miles away.**

Adding to the innate unfairness of the current SALT deduction, **only a small fraction of those paying state and local taxes realize any federal tax benefit from the deduction**. Only 30 percent of tax filers itemize at all for the simple fact that individuals must choose between the "standard deduction" of either \$6,300 or the total of all other allowable deductions. In other words, all workers pay state and local taxes; but only the minority of workers who itemize deductions see a partial "refund" of those taxes paid. A far lower percentage of middle-class workers itemize compared to their higher-earning counterparts. As a result, the SALT deduction operates very similarly to a regressive tax by rebating a relatively higher portion of state and local taxes as one earns more income. Lowering the tax rates on all by eliminating the SALT deduction will benefit all Americans—wealthy and poor alike—by incentivizing the investments in business enterprises and technology needed to accelerate national economic growth.

For many taxpayers outside of the high-tax locales, the savings from lower federal rates will outweigh the loss of the federal deduction even without positive changes at the state and local level. **Abolishing SALT would force residents to take a much harder look at their state and local tax rates**. Especially in the highest taxed states, the loss of the deduction will increase community demands for more responsible management of government resources. But even taxpayers in high-tax areas disproportionately benefiting from the existing SALT deduction will benefit from its elimination. The larger tax base resulting from accelerated growth will alleviate some of the impetus for higher state and local rates.

The hardworking men and women of America need pro-growth tax reform to ensure a healthy economy in the months and years ahead. Incentivizing investment and business expansion by lowering the penalty on success (the income tax) produces far more growth than subsidizing state and local government spending through the SALT deduction." For these reasons, we support efforts to eliminate the state and local income tax deduction in exchange for lower federal income tax rates across the board.

Sign the Letter Here

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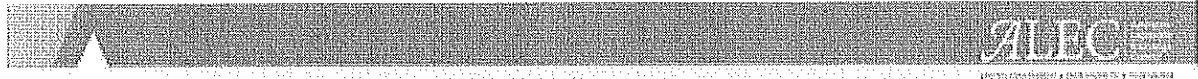
Sarah LaTourette Kayser <latoursm@gmail.com>

"The Guide Which I Will Never Abandon"

1 message

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To: latoursm@gmail.com

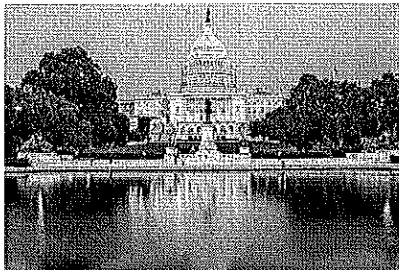
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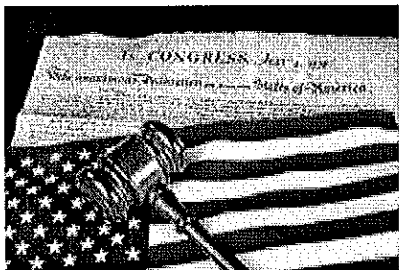
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Conference Call**ALEC-Federal Coalition Partners**[Register Here](#)

Join the ALEC-Federal Coalition Partners Call - Friday, September 29 at 3:00 pm ET. You don't want to miss this opportunity to hear directly from the U.S. House, Senate and White House coalition teams as they bring you timely updates from Capitol Hill.

Expert Opinion**Honoring America's Guide**

Karla Jones | Federalism

[Read the Full Article](#)

On September 17, the U.S. Constitution celebrated its 230th birthday. George Washington described the document as "The guide which I will never abandon." While today's Americans may not have abandoned it, we certainly have become woefully ignorant of its contents.



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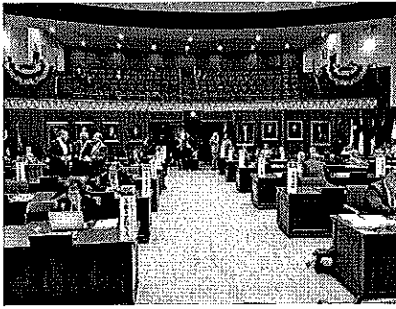


Forward

Expert Opinion

History Was Made in Phoenix This Month

Karla Jones | Federalism



[Read the Full Article](#)

On September 12, official delegations from 19 states joined by observers from three to four additional states convened to plan for a convention for proposing a balanced budget amendment to the U.S. Constitution pursuant to Article V. Members of ALEC were prominent participants.



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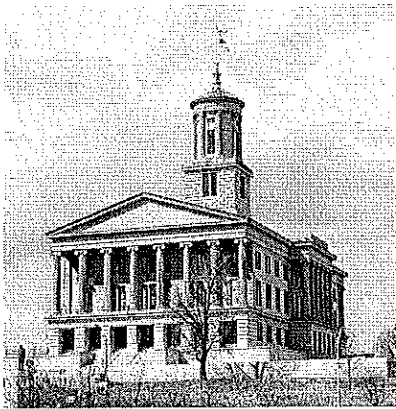


Forward

Article V in the States Update

Article V Testimony Before the Tennessee Senate Judiciary Committee

Karla Jones | Federalism



[Read the Full Article](#)

Karla Jones, Director of the ALEC Task Force on Federalism and International Relations, appeared before the Tennessee Senate Judiciary Committee. She explained various rules that an amendments convention might want to adopt. Karla also pointed out potential pitfalls that may crop up during the rules drafting process.



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Forward

International Democracy

Democracy in Retreat

Karla Jones & Cy Tongate | International Relations



Democratic principles advanced so steadily that they seemed destined to become universal, however, this progress has been replaced by a rise in authoritarian rule. From free expression to pluralism, from individual rights to rule of law, liberal democracy is retreating worldwide. Since 2000, no fewer than 25 democracies have failed around the world and more show alarming signs of weakening. Because autocrats thrive in darkness, we will shine a spotlight on authoritarian regimes in the ascent as a reminder of the ease with which democracy, including our own, can erode. This month we will look at events in Venezuela and the Philippines. We should heed the words of America's Founders who understood how

7/25/2018

Gmail - "The Guide Which I Will Never Abandon"

fragile the republic they created was. "A Constitution of Government once changed from Freedom, can never be restored. Liberty, once lost, is lost forever."
– John Adams



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Sarah LaTourette Kayser <latoursm@gmail.com>

Announcement: Mia Heck HHS

1 message

Mia Heck <mheck@alec.org>

Wed, Sep 27, 2017 at 5:12 PM

To: Mia Heck <mheck@alec.org>

Cc: "Nygren, John" <John.Nygren@legis.wisconsin.gov>, Joseph Arite <jarite@gtlic.com>, Bartlett Cleland <bcleland@alec.org>, Inez Feltscher <ifeltscher@alec.org>

Dear friends,

I hope this message finds you well. I am writing to share that late last week I received word from and have accepted a position in the Trump Administration as the Senior Advisor to the Administrator of the Centers for Medicare and Medicaid Services at U.S. Department of Health and Human Services (HHS). While I am honored to be granted this opportunity, I will greatly miss working with each of you as the HHS Task Force Director. My last day at ALEC is Friday September 29.

Because we are in the midst of preparing for the ALEC States and Nation Policy Summit (SNPS) as well as the 2018 legislative session(s), ALEC leadership has assigned all matters related to the HHS Task Force be temporarily shared by the Chief Strategy Innovation Officer Bartlett Cleland, and Education Task Force Director Inez Stepman (contact information is below). We will be sending out deadlines and instruction for registering for the Nashville meeting and submitting model policy, so be sure to look for those.

Thank you for being such loyal supporters of ALEC and the HHS Task Force; I will be in touch and hope to work with each of you again in the future!

Mia

Temporary POC's for HHS Task Force:**Inez Feltscher Stepman****Mobile 650.799.6818**

ifeltscher@alec.org

Bartlett Cleland**Mobile 703.626.8478**

bcleland@alec.org

Mia Heck personal contact information:**Mobile (210) 284-0388**

miapalmieri@utexas.edu

www.linkedin.com/in/miapalmieri

Twitter @themiaheck

7/25/2018

Gmail - Announcement: Mia Heck HHS

Mia Heck, MBA

Director, Health and Human Services

2900 Crystal Drive, Suite 600

Arlington, VA 22202

D 571.482.5022

M 210.284.0388



Upcoming Meetings:

2017 States and Nation Policy Summit – December 6-8, 2017 – Nashville, Tennessee

2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan

2018 Annual Meeting – August 8-10, 2018 – New Orleans, Louisiana

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.



Sarah LaTourette Kayser <latoursm@gmail.com>

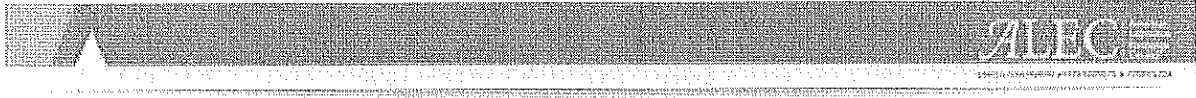
Your ALEC Digital Exchange 9/28/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Thu, Sep 28, 2017 at 4:18 PM

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Digital Exchange - September 28, 2017

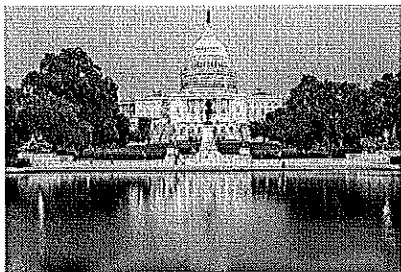


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Don't Miss the ALEC-Federal Coalition Partners Conference Call



Join the ALEC-Federal Coalition Partners Call - **Friday, September 29 at 3:00 pm ET**. You don't want to miss this opportunity to hear directly from the U.S. House, Senate and White House coalition teams as they bring you timely updates from Capitol Hill.

[RSVP for Call](#)

ALEC Statement on Tax Reform

Jonathan Williams Responds to Unveiling of Tax Plan

Jonathan Williams | ALEC Center for State Fiscal Reform



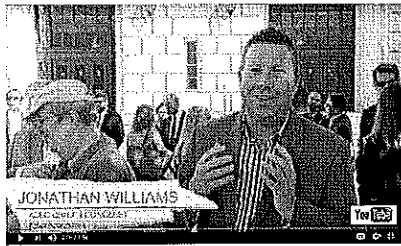
Jonathan Williams, ALEC Chief Economist and VP of the Center for State Fiscal Reform, responds to the unveiling of Congressional Republicans' newest tax plan. Williams is optimistic about the bill's passage. "The tax reform framework which was released is a giant leap in the direction of tax policy that will benefit all Americans and erase America's competitive deficit."

[Read Full Statement](#)

Video Report

ALEC Tax Team Joins "Tax Cuts Now" Rally at IRS

On September 15, the ALEC Tax Team joined the Job



Creators Network for the "Tax Cuts Now" rally. Standing in front of the IRS, Jonathan Williams, ALEC chief economist, supported President Trump's tax reform proposal, saying, "The federal tax code is the epitome of 'The Swamp'."

[View Video](#)

Featured Media

Taxpayer-Funded Pro Sports Facilities: Bad Public Policy

Erica York | ALEC Center for State Fiscal Reform



What happens when a city negotiates with an organization that knows how to negotiate? That's what happened in Richmond, VA when the city used tax dollars to lure the Washington Redskins to train there. Let's put an end to taxpayer-funded sports facilities. Subsidizing billion dollar pro sport teams is bad public policy.

[View Video](#)

Expert Insight

Illinois Becomes Latest State to Reform Civil Forfeiture

Ronald Lampard | Criminal Justice Reform Task Force



The trend of states reforming their civil asset forfeiture process has continued. This week, Governor Bruce Rauner signed House Bill 303 (HB 303), which places additional protections on individual property rights. HB 303 passed by a 100-1 vote in the Illinois House of Representatives and without any "no" votes in the Illinois Senate.

[Read Article](#)

State Spotlight

Q&A With Missouri Secretary of State Jay Ashcroft

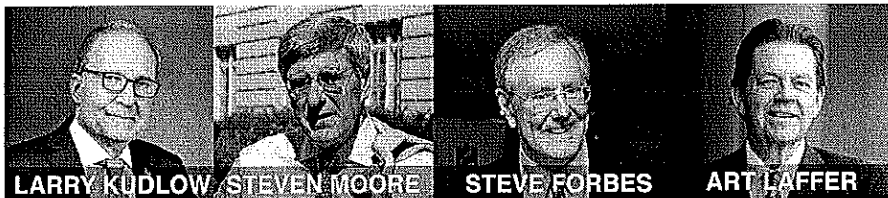


Missouri Secretary of State Jay Ashcroft stopped by ALEC headquarters. While he was here he talked about federalism, limited government and how his father influenced his career. Watch our video and see how this rising star is invigorating his home state.

[View Video](#)

Early-Bird Registration

Exciting Line-Up of Speakers -- Register Now



Our Nashville "Music City" playlist includes the Dec. 8th *Friday Breakfast* with Larry Kudlow, Steve Moore, Steve Forbes and Art Laffer. They will discuss how to help states prosper. Join them and other policy leaders from across the country at the States & Nation Policy Summit, Dec. 6-8.

[Register Here](#)

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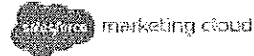


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Sarah LaTourette Kayser <latoursm@gmail.com>

ALEC CEO Update: Tax Reform and Hurricanes

1 message

Lisa B. Nelson <lisanelson@alec.org>
To: latoursm@gmail.com

Fri, Sep 29, 2017 at 9:43 AM

To view this email as a web page, go here.



Dear Members,

As many of you have geared back up following August vacations and the end of summer, I'm proud to report following Annual Meeting, ALEC never let off the gas. We capitalized on your energy and feedback on important national issues and are using your ideas to adopt new model policy, inform the 2018 state policy agenda and work on big federal efforts like tax reform. Beyond a commitment to sound, free-market policy, many ALEC members have also shown their love for community by serving in relief efforts for Hurricanes Harvey and Irma. I'm happy to share more on all of these items below.

Today, ALEC is leading policy discussions in the states and in Washington, D.C. This week, House Republicans released their tax reform framework offering the first real opportunity for comprehensive reforms in 30 years. ALEC was at the table all along advising Congress and the executive branch.

At Annual Meeting, Chief Economist Jonathan Williams and the Center for State Fiscal Reform held a listening/messaging session with Speaker Newt Gingrich and Alfredo Ortiz from the Job Creators Network. The result of your feedback was a memo sent to all ALEC members and distributed on Capitol Hill by House Republican Conference Chair and ALEC alumnae Cathy McMorris Rodgers.

The memo was only the beginning of our effort to raise awareness regarding state perspectives on tax reform. Jonathan Williams submitted testimony to the first tax reform hearing held by the U.S. House Ways and Means Committee (chaired by ALEC alumnus Representative Kevin Brady). In his testimony Jonathan focused on the lessons learned from tax reform efforts in the states, where nearly 30 states have significantly reduced taxes in the past four years alone.

As the Trump Administration began a more detailed discussion on their federal tax reform outline, key White House staff reached out to ALEC and enlisted the help of the Center for State Fiscal Reform. Jonathan Williams and Tax and Fiscal Policy Task Force Director Joel Griffith were called to the White House to brief the Administration on key tax reform principles and the lessons from state tax reform efforts.

ALEC also took a proactive role in reaching out to state legislators to encourage them to sign an open letter to Congress supporting the reduction of tax rates for all taxpayers by eliminating the state and local tax (SALT) deduction (If you are a legislator and haven't signed, please do so here) Repealing the SALT deduction would provide upwards of \$1.5 trillion over the next decade to implement broad-based tax cuts nationally.

ALEC has also increased its unique influence by continuing relationships with ALEC Alumni Members of Congress. ALEC presence in Washington, D.C. helps us to inform and advise freedom-minded legislators on Capitol Hill about what works in the states and for everyday Americans. To keep the line of communication open, we are kicking off a series of calls on pressing legislative issues between Congress and ALEC legislative members. **Later today, learn the latest from the House Ways and Means Committee and Representative Rob Bishop's (UT-1) Task Force on Intergovernmental Affairs (Federalism). The call will take place on today (Friday) at 3:00 PM**

ET. Please RSVP for further details.

ALEC is where substantive state policy meets real world application, but our family is so much more. Hurricanes Harvey and Irma brought a great deal of destruction the southeastern United States over the last month. In the face of tragedy, while many of their constituents were potentially without power or knee deep in floodwaters, ALEC members were on the front lines helping with disaster response. Georgia Senator Judson Hill and Texas Representatives Phil King, Tony Dale and Briscoe Cain were deployed by the National Guard or the Texas State Guard to help with the response. As a result, their experience will benefit ALEC and other states through a discussion and potential model policy on state guards and disaster response. Be sure to check out the States and Nation Policy Summit Homeland Security Task Force meeting to participate in the discussion. If you would like to join the new Task Force email, Wes Fisher in the ALEC membership department.

ALEC is really firing on all cylinders. For several years, I've been saying "it's a great time to be at ALEC." And it is. The energy, commitment and accomplishment of our members is palpable, and I'm so glad you are part of it. Please share your experience with your colleagues and encourage them to come to Nashville for the States and Nation Policy Summit. I'm looking forward to seeing you there.

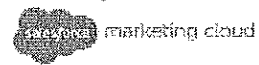
Sincerely,

Lisa B. Nelson
ALEC
CEO

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Gmail - Ohio Report, Friday, September 29, 2017



Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Friday, September 29, 2017

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OHIO REPORT

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News Bill Tracking Legislation

OHIO REPORT FRIDAY, SEPTEMBER 29

Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

Governor Candidates Tout Qualifications At GOP Central Committee

Portman, Brown Recommend Two Federal District Court Nominees

Senate Weighs Healthy Ohio Proposal, Looks At Submission Options

Abortion Totals Continued To Decline In 2016, State Reports

Home Care Touted As Alzheimer's Dementia Option; Commerce Publicizes Medical Pot License Applicants

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Addiction Recovery Advocates Rally; State Awards Behavioral Health Grants...

High Court Clarifies Record Sealing Law; Buckeye Institute Joins In Public Sector Union Case; Ohio Professor Nominated For Federal Judgeship...

Borges Issues Warning After OEC Ruling; Dems Pile On Over ECOT Overpayments; Renacci Cancels NFL Ad

Agency Briefs: Ohio Minimum Wage Rising In 2018; OPSB; USDA; ODA

Governor's Appointments

Gongwer Statehouse Job Market Updated

Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

CALENDARS

Day Planner

Legislative Committee Schedules

Event Planner

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Event Planner

Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

Monday, October 2

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

Tuesday, October 3

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

Wednesday, October 4

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)

Rep. Anne Gonzales (R-Westerville) cigar fundraiser, Lexi's, 100 E. Broad Street, Columbus, 4:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Anne Gonzales)

Thursday, October 5

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Lane, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Event Sponsor | \$400 per Team | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

Sunday, October 8

Sen. Steve Wilson (R-Maineville) family picnic, Warren County Armco Park, 1223 OH-741, Lebanon, 1 p.m.

Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)

Tuesday, October 10

Rep. Niraj Antani (R-Miamisburg) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)

Rep. Jeff Rezabek (R-Clayton) and Rep. Nathan Manning (R-North Ridgeville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Rezabek and/or Manning for Ohio)

Sen. Matt Huffman (R-Lima) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Matt Huffman for Ohio)

Sen. Kevin Bacon (R-Columbus), Sen. Troy Balderson (R-Zanesville) & Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, Lounge, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Kevin Bacon or The Committee to Elect Joe Uecker)

Sen. Matt Dolan (R-Chagrin Falls) and Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of Matt Dolan Or Citizens for Hottinger)

Wednesday, October 11

Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)

Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)

Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)

Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)

Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

Friday, October 13

OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, hmalcomb@ohiobar.org)

Tuesday, October 17

Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)

Rep. Michael Sheehy (D-Oregon) fundraiser, Club 185, 185 E Livingston Ave, Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Michael Sheehy)

Rep. Adam Miller (D-Columbus) fundraiser, Capital Club, 41 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Supporter \$500, Attendee \$250 to Miller for Ohio)

Wednesday, October 18

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 7:30 a.m., (\$2500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Lehner)

Sen. Sandra Williams (D-Cleveland) fundraiser, Einstein's, 41 S High Street, Columbus, 7:30 a.m., (Platinum Sponsor - \$1,000; Gold Sponsor - \$500 or Suggested Contribution - \$350 to Friends of Sandra Williams)

Rep. Steve Arndt (R-Port Clinton) fundraiser, deNOVO, 150 S. High Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends for Steve Arndt)

Rep. Kathleen Clyde (D-Kent) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5 p.m., (Gold Sponsor \$2,500, Silver Sponsor \$1,000, Bronze Sponsor \$500, Supporter \$250 to Kathleen Clyde Committee)

Rep. Glenn Holmes (D-McDonald) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Glenn Holmes)

Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Special Guest: Senate President Larry Obhof. Event Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

Thursday, October 19

Rep. Teresa Fedor (D-Toledo) fundraiser, Maumee Bay Brew Pub, 27 Broadway Street, Toledo, 4:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (\$1,000 Event Sponsor; \$500 Lane Sponsor; \$100 per Person; \$50 Dinner only to Citizens for Bill Beagle)

Tuesday, October 24

Rep. Ryan Smith (R-Bidwell) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$10,000; Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000 to Friends of Ryan Smith)

Rep. Jack Cera (D-Bellaire) & Rep. Nick Celebrezze (D-Parma) fundraiser, Gresso's, 961 S. High St., Columbus, 7 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Nicholas J. Celebrezze and Jack Cera for State Representative)

Wednesday, October 25

Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)

Rep. Teresa Fedor (D-Toledo) fundraiser, The Lounge at Latitude 41, Renaissance Hotel, 50 North 3rd Street, Columbus, 5:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Thursday, October 26

Rep. Glenn Holmes (D-McDonald) fundraiser, Cimenero's Banquet Center, 123 N. Main St., Niles, 5 p.m., (Victory Sponsor \$1,400, Touchdown Sponsor \$700, Field Goal Sponsor \$300, Individual Tickets \$50 to Committee to Elect Glenn Holmes)

Sunday, October 29

Democratic gubernatorial debate, Greater Columbus Convention Center, 400 N. High St., Columbus

Ohio Democratic Party state dinner, Greater Columbus Convention Center, 400 N. High St., Columbus,
(Featured speaker: Virginia Gov. Terry McAuliffe)

Tuesday, October 31

Rep. John Rogers (D-Mentor on the Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E Livingston Ave, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson)

Wednesday, November 1

Rep. Emilia Sykes (D-Akron) & Sen. Vernon Sykes (D-Akron) fundraiser, Einstein's Bros. Bagels, 41 S. High St., Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Emilia Sykes Campaign and Sykes for Office)

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

Rep. Dave Greenspan (R-Westlake) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Dave Greenspan)

Rep. Bill Seitz (R-Cincinnati) and Rep. Bill Blessing (R-Cincinnati) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,000; Sponsor: \$1,000; Host: \$500; Individual: \$350 to Seitz for Ohio and/or Citizens for Blessing)

Rep. Bernadine Kent (D-Columbus) fundraiser, Lincoln Cafe, 740 E. Long St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Kent for Ohio)

Thursday, November 2

Rep. Steve Hambley (R-Medina) fundraiser, High & Low Winery, 588 Medina Road, Wadsworth, 6 p.m., (Special Guest President Larry Obhof. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee)

Wednesday, November 8

Rep. Mike Duffey (R-Worthington) and Rep. Laura Lanese (R-Grove City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Citizens for Duffey and/or Lanese for Ohio)

Sen. Cliff Hite (R-Findlay) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (\$2,500 Chair | \$1,000 Host | \$500 Sponsor | \$350 Attendee to The Committee to Elect Cliff Hite)

Tuesday, November 28

Rep. Scott Ryan (R-Newark) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Scott Ryan)

Wednesday, November 29

Rep. Michele LePore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

Rep. Jim Butler (R-Oakwood) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

Thursday, November 30

Rep. Derek Merrin (R-Monclova Township) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

Tuesday, December 5

Rep. Gary Scherer (R-Circleville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Gary Scherer)

Wednesday, December 6

Rep. Kirk Schuring (R-Canton) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Citizens for Schuring Committee)

Wednesday, February 28

Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

Monday, June 4

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
Staff Writers

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GONGWER Ohio

The Record of Capitol Square Since 1906

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Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

From confusion and frustration to hopefulness and enlightenment, the responses to state report card grades released this month have run the gamut.

Schools and parents around the state have largely dismissed the rankings, which have dropped significantly since new standards were put in place a few years ago. Many have publicly criticized the grades, saying they're not rooted in reliable methods or just plain don't make sense.

A handful of education researchers and stakeholder groups, meanwhile, have released reports that rely on the report card data and tout its value in tracking trends. The analyses compare charter and traditional schools and gauge, among other things, how disadvantaged students are stacking up to their more privileged peers.

But, like them or not, report cards are here to stay. New federal K-12 laws continue to require states to assess students and schools as well as publish annual ratings.

So how then do policymakers and the K-12 community put an end to the report card frenzy that's become an annual occurrence since the state upped learning standards and moved to an A-F grading scale?

For some, the answer is to change how the bevy of school and testing data is presented.

Push For Change: Rep. Mike Duffey (R-Worthington) said he plans to introduce legislation and bring together a stakeholder group to overhaul report cards so that they no longer grade districts, but instead simply present information.

He said the goal is to fairly provide details of how schools are doing at educating students and quiet public distrust surrounding the current grading system.

"There seems to be an emerging consensus among superintendents and school boards of education and I think legislators are picking this up from the community and parents and from their own experience that report cards have been too volatile," Rep. Duffey said.

More than a dozen other states have instituted an A-F grading scale over the last few years. Like Ohio, many have put off handing out one overall grade to each district in an effort to ease into the change.

However, a handful may never get to that point in their reporting because of backlash to the grades. West Virginia, Alabama and Texas are just a few states debating how to move forward, according to reports.

Rep. Duffey said the public outcry in Ohio is already loud enough to require change, proving that parents and students think their schools are doing better than the report cards reflect.

Many districts, including wealthy suburban districts that were previously accustomed to getting As, have received Fs in a handful of categories over the past two years despite overall scores improving this year. Urban districts that have retooled their entire curricula and cultures say their progress isn't translating to higher report card scores.

"Parents are by and large siding with their school districts over the state, which means the state report card does not have the public's trust," he said. "When it doesn't have the public's trust, it fails to have value as a tool for the state."

The progress measure of the report card is the most-often challenged of the six graded components.

Rep. Andy Brenner (R-Powell), who chairs the House Education Committee, said its calculation needs changed because it is a zero-sum ranking, meaning districts can only score better each year if they're making more progress in relation to the progress other schools have made.

For example, students at Olentangy Local Schools saw growth on average, but their progress component score was an F because there wasn't as much growth as experienced by students at Rocky River City Schools, which received an A, he said.

"If everybody else is doing OK, then they can fall off and I'm not really sure that that's what we should do," Rep. Brenner said.

"I think we need to make sure that we're giving the data to the schools and districts so they understand what they need to do to improve the districts if they're capable," and the current grading formula doesn't always allow that, he said.

Data analyst Howard Fleeter with the Ohio Education Policy Institute said he's supportive of the data that's gathered to inform the progress component, but also suggested there could be a better way to grade it.

"When I was teaching, I thought that if every student was worthy of an A, every student should get an A," he said.

Having closely analyzed report card data, Mr. Fleeter said he's grateful for the wealth of information Ohio collects, which is much more than other states.

Over the years, it's helped him find data trends that can predict how students will perform in the future, reveal persistent learning gaps rooted in poverty, and determine how much it costs to educate different types of students, among other things, he said.

However, when it comes to how the state compiles the data to determine grades, Mr. Fleeter said there'd be no love lost on his part if the state threw out its A-F scale.

"I think that the data that is on the report cards is valuable. I am less of a fan of the actual letter grades," he said.

"I think one way you could defend the letter grades is to say, 'There is so much data that's out there. That regular person needs some sort of a shorthand way to make sense out of it and that's what the letter grades do.' The problem is that the letter grades also lead to some shame."

When the learning standards weren't as stringent and the A-F scale wasn't yet introduced, nearly 300 districts received the highest rating of Excellent on state report cards, according to Department of Education records.

Now that many of those same schools are receiving low marks on report cards, their morale may be down, Mr. Fleeter said.

Rep. Brenner suggested that the change in report card rankings could also have a negative economic impact on the state. He said it could signal to businesses looking to move to Ohio that students are less prepared than they were a few years ago when grades were good, even though districts, parents and many lawmakers don't feel that's the case.

"If you get Fs on the report card, would a major company like Amazon take a look at that?" he questioned.

Sen. Peggy Lehner (R-Kettering) said she'd be willing to take legislative action to change report cards, which is the only way modifications can be made. It has to be under the right circumstances, though, she said.

"I'm always open to looking to make the report card a better vehicle that gives us more accurate information and if that's the goal, yes. If the goal is we don't like the results, so let's get rid of the report card, I'd be much more concerned, frankly," said Sen. Lehner, who chairs the Senate Education Committee.

"We need to make sure that the report card is an accurate tool of assessment, but we do need to make sure that we also assess."

Reframing Report Cards: In an effort to stem the wave of concerns that come with every report card release, Superintendent of Public Instruction Paolo DeMaria has continually stressed that viewers should look outside the box.

The Ohio School Boards Association advises its members to do the same, said Damon Asbury, the group's director of legislative services. Board members are also encouraged to highlight their districts' non-academic accomplishments.

"It's an important measure, it tells us a lot of information, but it's not the only measure of how to judge your school district and its progress," he said of report cards.

To aid in the push to reshape thinking, ODE this year introduced a section on the individual grade card pages where districts can link to websites highlighting their successes.

Although the aim has been to reframe the general public conversation about report cards, superintendent DeMaria said the importance of the data they provide should still be at the forefront for policy makers.

"It does not paint a complete picture of what is happening in our schools and districts across the state, but it does paint a picture of what's happening academically to a certain extent and it is something that we should pay attention to," he said.

In a presentation before the Speaker's Task Force on Education and Poverty, he said report card results show a clear connection between economically disadvantaged students and poor academic outcomes. (See Gongwer Ohio Report, September 28, 2017)

They also show that a few schools with high concentrations of disadvantaged students are also high achieving, meaning that those students can learn under the right circumstances, he said.

"It allows us then to dig into this phenomenon that we're here to talk about and that is understanding the achievement gaps and acknowledging them," Superintendent DeMaria said of the assessment results displayed through report cards.

Sen. Lehner said there's also a lot that can be learned from new report card indicators showing how Ohio students scored on the ACT and SAT, which are included in the Prepared for Success measure.

The scores were "abysmally low and seem to track pretty well with some of the other data that we're seeing in the report card and that should give a lot of people pause that the report card, as clumsy as it may be, as lengthy as it may be, that it actually is telling us something that we need to really sit up and pay attention to," she said.

When the first report cards were released about two decades ago, they only showed what percentage of students were proficient on new state exams in core subjects, how many students were graduating and school attendance rates.

The report cards now include six components, ten measures and a handful of ungraded data such as financial information. It takes into account student scores on more than a dozen standardized tests.

The state's data collection to assess schools has come a long way, Mr. Fleeter said. So while report cards shouldn't serve as the sole arbiter of whether schools are preparing students for the future, it wouldn't be wise to dismiss them.

"Now we have the ability to disaggregate the data and look at different types of students and you can compare them and you really can understand what's behind things and where the problems are to a greater degree," he said. "People tend to not think about it, but we are lucky that we have all this information that's out there because we can understand better what we're doing well and what we're not as a state."

Governor Candidates Tout Qualifications At GOP Central Committee

Three of Ohio's four Republican gubernatorial candidates on Friday worked to sway a room full of party leaders on why they should top the ballot heading into the 2018 election.

Secretary of State Jon Husted, U.S. Rep. Jim Renacci and Lt. Gov. Mary Taylor each spoke before the GOP State Central Committee at a Columbus-area convention center. Attorney General Mike DeWine, also a candidate for the top executive office, was unable to attend.

Although Ohio Republican Party chairwoman Jane Timken remains adamant the party will not endorse to avoid tipping the primary scales, each statewide GOP contender was given the chance to appear before the committee.

Mr. Husted kicked off the remarks, touting his endorsements from pro-gun groups and his outreach through ten satellite call centers that have already made more than 20,000 calls.

"We outraised all candidates for this race," Mr. Husted said. "And you haven't seen anything yet. We're going to continue to build on that momentum and I'm really excited about it."

Emphasizing his efforts to streamline the business filing process and make his office self-sufficient, he positioned himself as a candidate who will follow through on his promises and thereby restore the faith of jaded voters who are frustrated with the system.

"I believe I can do the best job for you, that I can be the voice of the Republican party and the voice of the State of Ohio that will bring new ideas," Mr. Husted said.

Rep. Renacci, meanwhile, held true to his campaign strategy of painting himself as a Donald Trump-style outsider surrounded by candidates representing the status quo.

He struck a more conciliatory tone than his first television ad, however, giving some praise to Gov. John Kasich and stating that the party has "strong candidates." His TV spot released Thursday, the first of the campaign, blasted his three primary opponents as "Columbus fat cats."

Rep. Renacci described his background as a business owner who has created jobs and said voters are looking for a different type of candidate at the ballot.

"That's who I am," he said. "I'm an individual who hasn't spent my entire life in politics. That's the direction we need to take -- a little bit different vision."

Lt. Gov. Taylor emphasized her past election performance, including her status as the only Republican to win statewide office during the 2006 election when Democrats swept into office.

"We need a candidate in the general election who can win in November no matter what the political landscape looks like," she said. "And I win elections. Period."

She highlighted her tax and healthcare proposals, including her desire to eliminate Medicaid expansion, and pointed to her leadership of the Common Sense Initiative as a testament to her desire to curb government regulations.

Without naming names, she also seemed to downplay her rivals' fundraising strength and the advantage of Mr. DeWine's name recognition.

"People in our state, they choose our leaders," she said. "If money and a family name was all that mattered in races, Jeb Bush would be our nominee and Hillary Clinton would be our president today."

David Pepper, Ohio Democratic Party's chairman, in response called the Republican's primary gubernatorial race "one big race to the right."

"The Republican candidates are focused on nasty attacks against one another, while our Democratic candidates are focused on addressing the concerns of voters," Mr. Pepper said. "We've had 57 straight months of job growth trailing the national average, we're struggling to deal with the nation's worst opioid crisis and our public school system has fallen from fifth in the nation to 22nd. The Republican status quo isn't working for Ohio, and Democrats will represent change in 2018."

Other candidates seeking statewide office that addressed the group include Treasurer Josh Mandel, a U.S. Senate hopeful, Rep. Keith Faber (R-Celina), who's running for state auditor, and Rep. Robert Sprague (R-Findlay), a state treasurer candidate.

Endorsements: The group's endorsement policy review committee also recommended the party take no stance on Issue 1 -- the Ohio Crime Victims Bill of Rights -- or Issue 2 - the Ohio Drug Price Relief Act. The full committee accepted that recommendation with no discussion.

The Republican committee did officially endorse a pair of Ohio Supreme Court candidates: Judge Mary DeGenaro and Judge Craig Baldwin.

Judge DeGenaro, of the Seventh District Court of Appeals, and Judge Baldwin, of the Fifth District Court of Appeals, are running for seats occupied by age-limited Justices Terrence O'Donnell and Bill O'Neil.

In other business, the committee also appointed Katie DeLand to the 12th District seat formerly held by Becky Engel.

Portman, Brown Recommend Two Federal District Court Nominees

The state's two U.S. senators on Friday announced recommendations to fill two seats on the federal bench - and one could mean a change in Gov. John Kasich's cabinet.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Cleveland) have recommended Bureau of Workers' Compensation Administrator/CEO Sarah Morrison to fill a seat on the U.S. District Court of the Southern District of Ohio soon to be vacated by retiring Judge Thomas Rose.

The lawmakers also forwarded to the White House a recommendation that Fourth District Court of Appeals Judge Matt McFarland fill the seat on the same court vacated by Judge Gregory Frost.

"I am honored to be considered for the position of federal district judge, and I sincerely appreciate the support of Senators Portman and Brown," Ms. Morrison said in a statement. "As the approval process moves forward, I remain committed to serving Ohio's employers and injured workers at the Bureau of Workers' Compensation."

Sen. Portman said Ms. Morrison "enjoys sweeping support for this seat because of her breadth of experience in the public and private sectors, including her time as CEO of Ohio's Bureau of Workers Compensation."

Ms. Morrison, who would serve from Columbus, has led the BWC since May 2016 after joining the bureau in November 2012. Prior to that, she was a partner at Taft Stettinius & Hollister, LLP in Columbus.

She has a law degree from Capital University.

Judge McFarland, who would serve from the court in Dayton, was elected to the state appellate court in 2004 and reelected in 2010 and 2016. Prior to that, he served as a magistrate in the Scioto County Common Pleas Court Probate/Juvenile Division. He also served as an assistant prosecutor in Scioto and Licking counties and as special counsel in the attorney general's office.

He also has a law degree from Capital University.

"It is truly an honor to continue to serve the citizens of Ohio and if nominated by the president and confirmed by the Senate, I will work tirelessly to make Ohio proud in the administration of justice," he said.

Sen. Portman said Judge McFarland has "been a dedicated public servant in the state court of appeals."

"His esteemed reputation is well deserved and I am confident he will continue to distinguished service on the bench," he said.

Sen. Brown said in both cases he was proud to join his colleague in a bipartisan process and thanked both Ms. Morrison and Judge McFarland for their willingness to serve.

Both were recommended to the senators by a bipartisan advisory committee.

The recommendations will be vetted by the White House and the U.S. Senate Judiciary Committee before being considered by the upper chamber.

Senate Weighs Healthy Ohio Proposal, Looks At Submission Options

The Healthy Ohio Medicaid waiver proposal appears to be getting a new look by the Senate, but it's not clear if the chamber will vote to override Gov. John Kasich's veto or approach the effort another way.

The proposal, which was included in the previous budget and rejected by the federal Centers for Medicare and Medicaid Services, was included again in the current budget (HB 49) but vetoed by the governor.

The waiver has drawn questions as to whether it could gain federal approval due to the lack of flexibility the legislation would give the state in negotiating with federal regulators. Nevertheless, some officials say they are optimistic that the Trump administration would be more receptive to the plan than President Barack Obama's.

"I have had positive conversations with the administration in Washington about the Healthy Ohio waiver," Senate President Larry Obhof (R-Medina) said this week. "I look forward to additional conversations about that, whether the language that is currently pending in the override is exactly right or not, or if there's changes that we could make to that as separate legislation."

Sen. Obhof said the question of whether or not the Senate takes up the proposal would hinge on the continued debate over the Affordable Care Act at the federal level.

"I do anticipate that if the Medicaid expansion is here for the next few months, at some point we're going to re-evaluate the Healthy Ohio plan and whether to move ahead with the override or introduce additional legislation," he said.

The waiver request would allow the state to have certain Medicaid enrollees pay into modified health savings accounts, which would be used to cover co-pays. The state would also contribute to the accounts, with that money acting as a deductible. People who move off of Medicaid would then be able to use the money left over to cover insurance and other expenses

Some, including members of a Senate committee that discussed waivers this week, have said the current proposal might be too detailed and prescriptive, and would not allow the state to negotiate changes with CMS to earn approval. (See Gongwer Ohio Report, September 26, 2017)

In his veto message, Gov. Kasich said the proposal has already been rejected by the federal government once.

"The Administration shares the goal of expanding Ohio's flexibility in managing our Medicaid programs, and is committed to working with the General Assembly to seek achievable solutions that would accomplish this goal," he wrote. "Requiring Medicaid to seek an identical waiver for the Healthy Ohio Program would be duplicative and an ill-advised use of Medicaid resources."

Rep. Jim Butler (R-Oakwood), one of the architects of the proposal, said the state is still able to negotiate changes with CMS despite how prescriptive it is in code.

"In terms of flexibility in negotiations, there is absolutely nothing in statute that would prohibit changes being made and then being ratified by the legislature," he said in an interview.

Rep. Butler said the Senate should follow the House's lead and vote to override the veto. He said the intent was never to have the administration go to the federal government and say "take it or leave it" with what was passed by the legislature. Any changes requested by CMS could then be approved by the General Assembly.

"Anything to the contrary, I think, is an excuse for not submitting a waiver that would have meaning for our health care system and truly control health care costs," he said.

Abortion Totals Continued To Decline In 2016, State Reports

The number of abortions in Ohio continued its more than decade-long decline in 2016, falling to just above 20,000, according to figures released Friday.

The Department of Health reported a total of 20,672 abortions in the state in 2016, down about 1% from the prior year's total of 20,976.

Of those, 19,543 were obtained by Ohio residents. Since 2001, the annual decline has averaged about 900 per year, ODH said.

The abortion rate was 8.9 per 1,000 resident women ages 15-44, which was unchanged from 2015, the agency reported. There were 142 abortions by Ohio residents per 1,000 live births.

The number of abortions, which has been tracked since 1976, peaked at more than 45,000 in 1982.

Ohio Right to Life credited the decline to anti-abortion policies enacted at the state level.

"This report is further proof of how successful the pro-life movement has been in Ohio" Mike Gonidakis, the group's president, said in a statement. "This past year alone, we saw 304 lives saved from the pain and suffering of abortion. We continue to advance groundbreaking legislation to protect the unborn, and we thank Governor John Kasich and the Ohio General Assembly for their role in promoting a culture of life in Ohio. By enacting common sense and life-saving initiatives Ohio is protecting both mothers and their babies."

The group touted legislation it's currently pushing for in the General Assembly, including bills to ban abortions due to a Down syndrome diagnosis (HB 214), (SB 164) and to ban "dismemberment" abortions (SB 145).

"The historic low of abortions reported today indicates that the culture of life we've strived for is becoming a reality," Mr. Gonidakis said. "That being said, Ohio Right to Life is whole-heartedly committed to fighting for the sanctity of human life, until the Abortion Report is unnecessary because there are no more abortions committed in Ohio."

NARAL Pro-Choice Ohio Deputy Director Jaime Miracle pointed to an increase in the number of non-surgical abortions, from 1,195 in 2015 to 3,818 in 2016. She said that showed the effects of a change by the U.S. Food and Drug Administration to allow for a one-pill dosage of a medication used in non-surgical abortions.

"The real story with this year's report is that Ohio women are accessing more affordable medication abortion at a rate closer to before Ohio law required physicians to use an outdated, less effective, more expensive protocol," she said in a statement. "When health care policy is shaped by science, not politics, women win. This report shows that the new FDA protocol allows women to access the health care they need and choose the abortion method that is best for them."

Ms. Miracle said Ohio's nine facilities were able to provide safe, legal and affordable abortions to more than 20,000 women in Ohio.

"Unfortunately, Governor John Kasich and his band of usual suspects have wasted the taxpayers' time and money in pushing illegal and immoral tactics designed to block access to abortion clinics," she said. "Since taking office, Governor Kasich has signed 18 restrictions limiting access to reproductive healthcare in Ohio. Everyone deserves access to safe, affordable reproductive health care, including abortion, in their communities and we will continue to fight to ensure this is the reality in Ohio."

Home Care Touted As Alzheimer's Dementia Option; Commerce Publicizes Medical Pot License Applicants

People suffering from dementia can receive support in their homes, allowing them to stay out of nursing facilities and assisted living longer, the House Speaker's Task Force on Alzheimer's and Dementia was told this week.

Joe Russell, executive director of the Ohio Council for Home Care and Hospice, told the task force that providing care for people in their own homes and communities is a quality of life issue.

Family caregivers often face a stressful and constant task of looking after loved ones with Alzheimer's and dementia, he said. Providing scheduled respite services and other in-home services can ease the burden on family members without them having to turn to institutional facilities.

Mr. Russell said the Department of Aging has explored a shared living service under the PASSPORT Medicaid waiver, which would allow a live-in caregiver to provide support in the senior's home. He said his group supports the concept but was concerned about the proposed reimbursement rates.

He said the state could also look at programs to allow for 24-hour in-home care for people with limited family supports. That could include a waiver that allows for personal care, homemaking and companion services provided by a live-in provider supplemented by home care aides in shifts, and monitoring technology.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," he said in testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

The task force also heard from Susan Dickey, who works with the Greater Cincinnati Area Chapter of the Alzheimer's Association. She discussed practice recommendations as part of the association's Quality Care Campaign.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," she said in prepared testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

She said the recommendations could be used as a foundation for evaluating clinical outcomes for care in the state.

Medical Marijuana Updates: The Department of Commerce Friday released information from the applications for cultivator licenses. The business entity and contact information forms for the 185 applicants for those licenses are now available online.

The DOC anticipates awarding cultivator licenses in November.

Earlier this week, the DOC announced that two universities - Central State University and Hocking College - had applied for laboratory applications. The department said it would accept applications from private testing laboratories between Nov. 27 and Dec. 8.

Addiction Recovery Advocates Rally; State Awards Behavioral Health Grants...

Advocates in the fight against addiction gathered at the Statehouse Friday in the annual Rally for Recovery, emphasizing the importance of family and community members in supporting people battling substance use disorder.

The event hosted by Ohio Citizen Advocates for Addiction Recovery featured advocacy groups and providers offering information about social supports for people with addiction. Those who received awards included Gov. John Kasich, who was recognized with the Recovery Ally Award for his work promoting policy to fight drug addiction and expanding Medicaid.

Tracy Plouck, director of the Department of Mental Health and Addiction Services, said the rally was a way to demonstrate the importance of supporting people battling substance abuse.

"This is an excellent opportunity to raise awareness about how many people around our state are actually living in recovery," she said in an interview. "They're in all neighborhoods, all communities, and recovery is possible. I think this is an opportunity to reduce stigma and show that it isn't just individuals who are living in recovery. It's families, it's neighbors, it's employers, everybody can come together and provide support."

Director Plouck said community supports are essential in helping people who start down the path to recovery stay there.

"Clinical services are increasingly available because of the Medicaid expansion and the changes that have occurred in the last few years, but the availability of different recovery supports is equally important, really," she said. "You can connect with sobriety, but you need supports in the community, you need to not feel isolated in order to sustain that recovery."

Speakers included Joe Smith, a father of three daughters who suffer from addiction, who said recovery takes more than one person.

"It takes the community to recover," he said. "Each one of us who recovers helps facilitate the recovery of others."

Behavioral Health Grants: ODMHAS announced \$6 million in grants this week for community mental health and addiction service providers. The funding was awarded on a first-come, first-served basis to certified providers who intended to initiate or expand workforce capacity through training, tuition reimbursement and loan repayment programs.

"Ohio, like the rest of the nation is experiencing challenges to recruit, retain and support, on a long term basis, our existing workforce in community behavioral health agencies," Director Plouck said in a statement. "These grants represent another step forward as we work collectively to build a highly-qualified workforce and significantly increase system capacity at a time when communities continue to face serious challenges with opioid addiction and mental illness."

The department sent award notices to 61 providers across the state, who were each eligible for one-time funding up to \$100,000.

Pharmacy Grant: The State Board of Pharmacy this week also announced it received a grant worth nearly \$400,000 from the U.S. Department of Justice to fund a two-year pre-criminal intervention program to deal with prescription drug abuse.

The program will use data from the Ohio Automated Rx Reporting System to identify signs of prescription drug abuse and connect those people with drug treatment or other support services.

"The goal of the program is to prevent addicted individuals from entering the criminal justice system," Pharmacy Board Executive Director Steven Schierholt said. "By engaging early, we can direct individuals to treatment before they turn to illicit, and more potent, drugs such as heroin or fentanyl."

High Court Clarifies Record Sealing Law; Buckeye Institute Joins In Public Sector Union Case; Ohio Professor Nominated For Federal Judgeship...

A trial court is under no obligation to wait until the statute of limitations expires to seal the records in a case dismissed without prejudice, the Ohio Supreme Court ruled.

The decision authored by Justice Terrence O'Donnell resolves a conflict between the Fifth District Court of Appeals and the Eighth District Court of Appeals.

"Had the legislature intended for the applicable statute of limitations in a case dismissed without prejudice to expire before a trial court can seal a record under R.C. 2953.52(B)(4), it could have used the language it did in R.C. 2953.52(B)(3) regarding applications to seal records of DNA specimens. But it did not do so," he wrote.

The conflict was certified after James Dye of Pickerington had five misdemeanor charges against him dismissed without prejudice in the Fairfield County Municipal Court. He unsuccessfully sought to have the dismissal sealed by the trial court, a decision that was upheld by the Fifth District Court of Appeals, the high court reported.

Mr. Dye argued that both courts erred in determining that he was not eligible to have the records sealed because the statute of limitations had not expired.

The state, like Mr. Dye, argued that the statute is unambiguous. However, it said the language clearly makes him ineligible to have his record sealed until the statute of limitations expires.

Justice O'Donnell was joined in his opinion by five of his fellow members of the court, while Chief Justice Maureen O'Connor concurred in judgement only.

Union Case: The Buckeye Institute has joined a legal battle that could have major implications for public sector unions.

The group filed an amicus brief in the case of *Janus v. AFSCME*, which is currently before the U.S. Supreme Court.

Mark Janus, a child support specialist in Illinois, argues that being forced to pay agencies fees after opting out of his collective bargaining unit is a violation of his First Amendment rights.

"We are pleased that the Supreme Court will take up this crucial case to protect the First Amendment rights of public employees," President and CEO Robert Alt said. "Forcing employees to pay for speech with which they disagree and forcing them to pay fees to a union in order to keep their jobs is unjust and unconstitutional. We are confident that Mr. Janus will prevail and that the court will rule in favor of the First Amendment rights of all public employees."

Federal Judgeship: President Donald Trump has nominated Ryan T. Holte to serve on the bench of the U.S. Court of Federal Claims.

Mr. Holte currently serves as an associate professor of law and the director of the Center for Intellectual Property Law and Technology at the University of Akron School of Law.

He serves as general counsel, partner, and co-inventor of an electrical engineering technology company. He also worked as a trial attorney at the Federal Trade Commission, practiced law as an associate at Jones Day and clerked for a judge on the Eleventh Circuit Court of Appeals.

Federal Grant: An eight-state collaborative formed to combat the opioid crisis will receive a \$1 million federal grant to aid in its efforts, the high court announced Friday.

The Regional Judicial Opioid Initiative - comprised of Ohio, Illinois, Indiana, Kentucky, Michigan, North Carolina, Tennessee and West Virginia - was awarded the grant by the U.S. Department of Justice's Bureau of Justice Assistance.

"Our regional effort serves as a bridge connecting key leaders and staff from law enforcement, to courts, to treatment providers, to children services and other aid organizations," Chief Justice O'Connor said. "This grant will go a long way toward helping close the information, enforcement, services and treatment gaps that have allowed this epidemic to fester and grow."

Volunteers Honored: Fourteen individuals who lead tours at the Thomas J. Moyer Ohio Judicial Center were honored for their service by all seven high court justices during a luncheon, according to the court.

"Your knowledge and enthusiasm are appreciated throughout the building by the staff and the justices," Chief Justice O'Connor said. "I want you to know that. Those of us who work here, and you by extension, as being a face with many of the students that come into this building, are extremely proud of the building and proud of what you do for us in showcasing the building and this institution."

Judicial Candidates: The Board of Professional Conduct announced its 2018 schedule of seminars for judicial candidates.

Disciplinary Hearings: The Board of Professional Conduct also announced disciplinary hearings scheduled for October.

Borges Issues Warning After OEC Ruling; Dems Pile On Over ECOT Overpayments; Renacci Cancels NFL Ad

An Elections Commission ruling could drastically alter the landscape of elections in Ohio, a former chairman of the Ohio Republican Party said Friday.

Matt Borges, who is now working for the Yes on Issue 2 campaign, said the panel's Thursday decision to dismiss two complaints against the opponents of a November ballot measure could open the door for political campaigns to use LLCs as pass-through entities to avoid financial disclosures.

Dismissed were complaints that the opposition PAC, Ohioans Against Issue 2, intentionally hid the source of its fundraising and violated state campaign finance disclosure laws. (See Gongwer Ohio Report, September 28, 2017)

Both complaints filed by the Yes campaign centered on the idea that PhARMA, a trade association of the pharmaceutical industry, was used as a pass-through entity to conceal millions of dollars of contributions from the drug industry to the PAC.

"If they had to do some long-term damage to Ohio to get what they want, they had no problem with that," Mr. Borges said. "They have been trying to keep folks in the dark throughout this entire campaign."

But Dale Butland, a spokesman for the No campaign, said the letter of the law was followed.

"If Matt Borges and the Yes side believe that Ohio law should be changed, then they should go to the legislature and ask them to do that," he said.

Mr. Butland also said Mr. Borges complaint about the dismissal is emblematic of a campaign in a "death spiral."

"The reason that they are going to lose isn't because there hasn't been enough debates, it's not because our side is not following the law, it's because they have a lousy proposal that will do great damage to this state and its people," he said.

ECOT Overpayments: With the announcement Thursday that the Electronic Classroom of Tomorrow will be docked an additional \$19 million for overpayments, one gubernatorial candidate is calling for the school to be "expelled."

Betty Sutton called the school's proposed change in status to a dropout and recovery institution a "sham."

"A failing school shouldn't be allowed to teach at-risk kids just so it can continue to rip off taxpayers. When a school lies and cheats they should be expelled. It's plain and simple. If they can't do basic math, they should not pretend to teach Ohio's kids," the Democrat said.

"It is beyond ridiculous that a sham school that leads Ohio in dropouts would be designated a dropout recovery school. We need to make Ohio the opportunity state by providing a good education for our children and that starts with expelling ECOT."

A Department of Education audit found that ECOT last year over-reported the number of full-time students it enrolls by 18.5% (See [Gongwer Ohio Report, September 28, 2017](#))

The online charter school has already been order to repay \$60 million from the 2015-16 school year.

Renacci Ad: Those watching the Cleveland Browns take on the Cincinnati Bengals this weekend will not be learning about U.S. Rep. Jim Renacci's gubernatorial campaign.

The Alliance Republican announced Friday that he has canceled a \$20,000 ad buy during the game in the wake of a growing number of NFL players using the National Anthem as a platform to protest what they believe is racial injustice.

"While the First Amendment clearly affords NFL players and officials the freedom to engage in this appalling behavior, having the right to do something does not mean it's the right thing to do. Throughout our nation's history, countless American men and women of all backgrounds and races have sacrificed deeply to protect and preserve the ideals that our nation and its flag stand for - and our National Anthem serves as a tribute to that sacrifice that we should honor, not disparage," he said.

"And while the right to speak and protest peacefully is a fundamental freedom that we as Americans enjoy, protesting the most sacred symbols of those freedoms is both sadly ironic and an inexcusable, offensive display of contempt for what our nation stands for."

Harbaugh Endorsement: Ken Harbaugh, who is seeking to oust U.S. Rep. Bob Gibbs (R-Lakeview), announced that the Communications Workers of America has endorsed his candidacy in the 7th Congressional District.

"I am honored to have this endorsement from CWA. Ohio workers are among the best in the world. We need to fight for fair trade agreements and give our hard-working men and women a level playing field on which to compete," the Democrat said. "Folks working full-time jobs can and should be able to support their families. CWA is fighting for these improvements and so am I."

Added CWA District 4 Vice President Linda Hinton: "Ken's education, military background, and the fact he has spent a life helping others, show the experience and character needed to make workers and working families a

priority."

Agency Briefs: Ohio Minimum Wage Rising In 2018; OPSB; USDA; ODA

Ohio's minimum wage will rise to \$8.30 per hour next year, up about 2% alongside the rate of inflation, the Department of Commerce announced Friday.

The \$8.30 wage applies to non-tipped employees at businesses with gross annual receipts of more than \$305,000 per year. For tipped employees, the new minimum wage will be \$4.15 per hour.

The current minimum wage is \$8.15 for non-tipped employees and \$4.08 for tipped employees.

For people who work at companies with gross receipts below \$305,000, and for 14- and 15-year-olds, the minimum wage will be the federal rate of \$7.25 per hour.

The state increase stems from an increase of 1.9% in the consumer price index.

Public Utilities: The Power Siting Board will hold a hearing Dec. 5 to allow the public to voice views about a proposal by Vinton Solar Energy LLC to build a solar-powered electric generation facility in Vinton county.

The hearing will take place at 6 p.m. that day at the Vinton County Community Building in McArthur.

The proposed facility would include arrays of solar panels with a combined generating capacity of up to 125 megawatts. It would be located on 1,950 acres of leased land in Elk Township, and the facility would be connected to the grid through American Electric Power's nearby Elk substation.

The adjudicatory hearing in the case will be at 10 a.m. Dec. 15 at the PUCO offices in Columbus.

U.S. Department of Agriculture: The department will award a \$22,910 solid waste management grant to Mahoning County, U.S. Rep. Tim Ryan (D-Niles) announced. The money will help fund the county's solid waste management district's rural recycling education and awareness program.

"I am pleased to announce this federal funding for Mahoning County," Rep. Ryan said in a statement.

"When it comes to preserving our environment for our kids, like many other issues, change starts at home. I am encouraged to see state and local governments like Mahoning County continuing to lead the charge on sustainability education. This funding will give rural Mahoning County an important boost, and represents a crucial federal investment. As long as I am in Congress, I will continue to fight to bring these important funds back to Northeast Ohio."

Agriculture: Gov. John Kasich on Friday signed an executive order creating an emergency rule on inflatable amusement ride safety inspections related to a change in the biennial budget bill.

The measure (HB 49) eliminated the statutory inspection fee for rides and granted authority to the Department of Agriculture director to develop rules for the fee structure.

The emergency rule announced in the EO will fill the gap until ODO develops the final rules for the inspections.

Governor's Appointments

State Dental Board: Theodore T. Bauer, DDS of Columbus for a term beginning September 29, 2017, and ending April 6, 2021.

Dentist Loan Repayment Advisory Board: Jaime L. Darr, DDS of Massillon for a term beginning September 29, 2017, and ending January 28, 2019.

Ohio Expositions Commission: John R. Page of Lewis Center for a term beginning September 29, 2017, and ending December 1, 2020.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the [Gongwer website](#).

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Attorney General's Opinion

No. 2017-032. Requested by Williams County Prosecuting Attorney Katherine J. Zartman. SYLLABUS:

A person may not serve simultaneously as prosecuting attorney of Williams County and member of a joint-county board of alcohol, drug addiction, and mental health services of a joint-county alcohol, drug addiction, and mental health service district of which Williams County is a part.

Supplemental Agency Calendar

Monday, October 2

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Tuesday, October 3

BRAC & Military Affairs Task Force, Rickenbacker Air Guard Base, 7370 Minuteman Way, Columbus, 1 p.m.

Wednesday, October 4

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Thursday, October 5

Power Siting Board, 180 E. Broad St., Room 11B, Columbus, 3:30 p.m.

Friday, October 6

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 10 a.m.

Supplemental Event Planner

Tuesday, October 3


Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
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Click the  after a bill number to create a saved search and email alert for that bill.

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GONGWER Ohio

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Legislative Committee Schedules beginning 10/2/2017

Monday, October 2

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

Tuesday, October 3

Senate Insurance & Financial Institutions (Committee Record) (Chr. Hottinger, J., 466-5838), Finance Hearing Rm., 9:30 a.m.

- Confirmation hearing on governor's appointment of William Sanderson, Ohio Housing Finance Agency

HBDEED SOLICITATION (Rezabek, J.) To regulate the solicitation of certain deeds. (2nd Hearing-52 Proponent)

SB DEBT ADJUSTING (Eklund, J.) Regarding debt adjusting (3rd Hearing-Opponent & interested party) 120

SB MAMMOGRAM COVERAGE (Eklund, J.) To include tomosynthesis as part of required screening 121 mammography benefits under health insurance policies. (2nd Hearing-Proponent)

SB TRAVEL INSURANCE (Wilson, S.) To oversee the sale of travel insurance. (2nd Hearing-Proponent) 169

HBMORTGAGE LENDING (Blessing, L.) To create the Ohio Residential Mortgage Lending Act for the 199 purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (2nd Hearing-Proponent)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

SB DOGS LAW (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and 195 vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (1st Hearing-Sponsor)

SB BULLYING (Williams, S.) To create the offense of aggravated bullying, a third-degree misdemeanor. (1st 196 Hearing-Sponsor)

SB FRANKLIN COUNTY COURT (Tavares, C.) To add two judges to the Domestic Relations Division of 130 the Franklin County Court of Common Pleas to be elected in 2018. (1st Hearing-Sponsor)

SB DOMESTIC VIOLENCE (Brown, E.) To prohibit a person convicted of domestic violence or assault of a 150 family member, or a person subject to certain protection orders, from having a firearm; to establish a procedure for surrendering all firearms in the person's possession; and to name the act the "Domestic Violence Survivors Protection Act." (1st Hearing-Sponsor)

SB INMATE SEARCHES (Eklund, J.) To authorize a corrections officer to cause a body cavity search to be 138 conducted, to establish separate rules and restrictions for conducting strip searches, and to limit the right of

any person to commence a civil action for a violation of the law governing body cavity searches and strip searches to violations related to body cavity searches. (1st Hearing-Sponsor)

SCREXTRADITION (O'Brien, S.) To urge the President of the United States, the United States Secretary of State, and the Congress of the United States to compel Brazil to extradite Claudia Hoerig to stand trial for the aggravated murder of her husband, Major Karl Hoerig, and to request that the United States terminate foreign aid payments to Brazil if Claudia Hoerig is not extradited. (1st Hearing-Sponsor)

SCRGALT DECISION (Thomas, C.) To recognize 2017 as the fiftieth anniversary of In re Gault. (1st Hearing-Sponsor)

SB PROTECTION ORDERS (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (1st Hearing-Sponsor)

House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.

- Presentation from Dr. Robert Applebaum of the Scripps Gerontology Center: "Policy Does Matter: Continued Progress in Providing Long Term Services and Supports for Ohio's Older Population"

HBPALLIATIVE CARE (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (2nd Hearing-Proponent-Possible substitute)

House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.

HB SECURITY RESOURCES (Smith, R., Carfagna, R.) To allow electric distribution utilities to recover costs for a national security generation resource. (6th Hearing-All testimony-Possible amendments)

Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.

- Confirmation hearing on governor's appointments of Joshua Cox, Benjamin Fields and Megan Marchal, State Board of Pharmacy; Michael Gonidakis, State Medical Board and Robert Schuerger, II, Ohio Athletic Commission

HB CONFIDENTIAL TREATMENT (Huffman, S., Sprague, R.) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (1st Hearing-Sponsor)

SB DAY DESIGNATION (Eklund, J.) To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-Proponent)

HB MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. (2nd Hearing-Proponent)

Wednesday, October 4

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HBPROPERTY TAX COMPLAINTS (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (2nd Hearing-Proponent)

SB BUSINESS INCOME (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (3rd Hearing-Opponent & Interested party)

HBTIF DISTRICTS (Cupp, R.) To require reimbursement of certain township fire and emergency medical

69 service levy revenue forgone because of the creation of a municipal tax increment financing district. (4th Hearing-All testimony)

House Transportation & Public Safety ([Committee Record](#)) (Chr. [Green, D.](#), 644-6034), Rm. 017, 10 a.m.

- Presentations on autonomous and connected vehicles from Jonathan Weinberger, VP of Innovation and Technology for the Auto Alliance and Josh Fisher, manager state government affairs for Global Automakers

Tuesday, October 10

House Session ([Committee Record](#)) (Chr. [Rosenberger, C.](#), 466-3357), House Chamber, 11 a.m.

- If needed

Senate Rules & Reference ([Committee Record](#)) (Chr. [Obhof, L.](#), 466-7505), Majority Conf. Rm., 11 a.m.

- If needed

Senate Session ([Committee Record](#)) (Chr. [Obhof, L.](#), 466-4900), Senate Chamber, 1:30 p.m.

- If needed

Wednesday, October 11


Senate Rules & Reference ([Committee Record](#)) (Chr. [Obhof, L.](#), 466-7505), Majority Conf. Rm., 11 a.m.

House Session ([Committee Record](#)) (Chr. [Rosenberger, C.](#), 466-3357), House Chamber, 1:30 p.m.

Senate Session ([Committee Record](#)) (Chr. [Obhof, L.](#), 466-4900), Senate Chamber, 1:30 p.m.

Thursday, October 12

Ohio Retirement Study Council ([Committee Record](#)) (Chr. [Schuring, K.](#), 228-1346), Rm. 121, 10 a.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

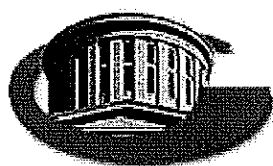
17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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Daily Activity Planner for Saturday, September 30-Monday, October 2

Legislative Committees

Thursday, October 12

Joint Committee on Agency Rule Review (*Committee Record*) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

Agency Calendar

Monday, October 2

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, MetroHealth, Scott Auditorium, Cleveland, 1:30 p.m.

Event Planner

Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

Monday, October 2

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m.,
(9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250;
Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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Sarah LaTourette Kayser <latoursm@gmail.com>

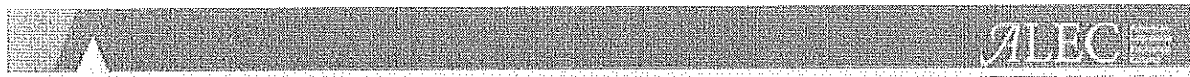
ALEC CEO Update: Tax Reform and Hurricanes

1 message

Lisa B. Nelson <lisanelson@alec.org>
To: latoursm@gmail.com

Sat, Sep 30, 2017 at 1:26 PM

To view this email as a web page, go [here](#).



NOTE: The below is an amended version of the CEO update. A previous version contained dead links.

Dear Members,

As many of you have geared back up following August vacations and the end of summer, I'm proud to report following Annual Meeting, ALEC never let off the gas. We capitalized on your energy and feedback on important national issues and are using your ideas to adopt new model policy, inform the 2018 state policy agenda and work on big federal efforts like tax reform. Beyond a commitment to sound, free-market policy, many ALEC members have also shown their love for community by serving in relief efforts for Hurricanes Harvey and Irma. I'm happy to share more on all of these items below.

Today, ALEC is leading policy discussions in the states and in Washington, D.C. This week, House Republicans released their tax reform framework offering the first real opportunity for comprehensive reforms in 30 years. ALEC was at the table all along advising Congress and the executive branch.

At Annual Meeting, Chief Economist Jonathan Williams and the Center for State Fiscal Reform held a listening/messaging session with Speaker Newt Gingrich and Alfredo Ortiz from the Job Creators Network. The result of your feedback was a memo sent to all ALEC members and distributed on Capitol Hill by House Republican Conference Chair and ALEC alumnae Cathy McMorris Rodgers.

The memo was only the beginning of our effort to raise awareness regarding state perspectives on tax reform. Jonathan Williams submitted testimony to the first tax reform hearing held by the U.S. House Ways and Means Committee (chaired by ALEC alumnus Representative Kevin Brady). In his testimony Jonathan focused on the lessons learned from tax reform efforts in the states, where nearly 30 states have significantly reduced taxes in the past four years alone.

As the Trump Administration began a more detailed discussion on their federal tax reform outline, key White House staff reached out to ALEC and enlisted the help of the Center for State Fiscal Reform. Jonathan Williams and Tax and Fiscal Policy Task Force Director Joel Griffith were called to the White House to brief the Administration on key tax reform principles and the lessons from state tax reform efforts.

ALEC also took a proactive role in reaching out to state legislators to encourage them to sign an open letter to Congress supporting the reduction of tax rates for all taxpayers by eliminating the state and local tax (SALT) deduction (If you are a legislator and haven't signed, please do so [here](#)) Repealing the SALT deduction would provide upwards of \$1.5 trillion over the next decade to implement broad-based tax cuts nationally.

ALEC has also increased its unique influence by continuing relationships with ALEC Alumni Members of Congress. ALEC presence in Washington, D.C. helps us to inform and advise freedom-minded legislators on Capitol Hill about what works in the states and for everyday Americans. To keep the line of communication open, we are kicking off a series of calls on pressing legislative

issues between Congress and ALEC legislative members. **Later today, learn the latest from the House Ways and Means Committee and Representative Rob Bishop's (UT-1) Task Force on Intergovernmental Affairs (Federalism). The call will take place on today (Friday) at 3:00 PM ET. Please RSVP for further details.**

ALEC is where substantive state policy meets real world application, but our family is so much more. Hurricanes Harvey and Irma brought a great deal of destruction the southeastern United States over the last month. In the face of tragedy, while many of their constituents were potentially without power or knee deep in floodwaters, ALEC members were on the front lines helping with disaster response. Georgia Senator Judson Hill and Texas Representatives Phil King, Tony Dale and Briscoe Cain were deployed by the National Guard or the Texas State Guard to help with the response. As a result, their experience will benefit ALEC and other states through a discussion and potential model policy on state guards and disaster response. Be sure to check out the States and Nation Policy Summit Homeland Security Task Force meeting to participate in the discussion. If you would like to join the new Task Force email, Wes Fisher in the ALEC membership department.

ALEC is really firing on all cylinders. For several years, I've been saying "it's a great time to be at ALEC." And it is. The energy, commitment and accomplishment of our members is palpable, and I'm so glad you are part of it. Please share your experience with your colleagues and encourage them to come to Nashville for the States and Nation Policy Summit. I'm looking forward to seeing you there.

Sincerely,

Lisa B. Nelson
ALEC
CEO

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Sarah LaTourette Kayser <latoursm@gmail.com>

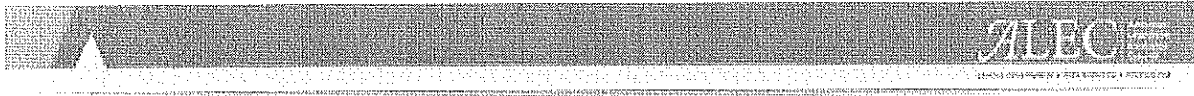
Important Deadlines for Task Force Members

1 message

Inez Feltscher <lwhite@alec.org>
To: latoursm@gmail.com

Tue, Oct 3, 2017 at 9:30 AM

To view this email as a web page, go [here](#).



Dear Representative LaTourette,

Thank you for being a contributing member of the Health and Human Services Task Force at ALEC. This email will outline some upcoming deadlines for the States and Nation Policy Summit being hosted in Nashville, TN on December 6–8, 2017.

See below for some important dates related to our meeting:

- **October 23, 2017** – 45-Day Model Policy Submission Deadline. If you would like to introduce new model policy please send me the draft language by that deadline.
- **November 2, 2017** – 35-Day Notice Published. This will contain a draft of the HHS Task Force Meeting Agenda and model policies scheduled for consideration and review at the Task Force Meeting.
- **November 9, 2017** – Early Bird Registration and Housing Deadline cut-off. Take advantage of our special early bird rates!
- **December 7** – The Health and Human Services Task Force Meeting will take place from 2:30 – 5:30 p.m.

At our next Task Force Meeting we look forward to hearing about innovations in medicine, evidence based addiction treatment programs and reforms in mental health policy.

To vote on model policies and engage in the important policy discussions, register for the ALEC States and Nation Policy Summit at <https://www.alec.org/meeting/2017-states-nation-policy-summit-nashville-tn/>.

Feel free to reach out to either Bartlett Cleland or me with any questions you may have related to the task force and we look forward to seeing you in Nashville.

Temporary POC's for HHS Task Force:

Inez Feltscher Stepman
Mobile 650.799.6818
ifeltscher@alec.org

Bartlett Cleland
Mobile 703.626.8478
bcleland@alec.org

[Click Here to Register](#)

Sincerely,

Inez Stepman
Director, Education and Workforce Development Task Force



This email was sent to: latoursm@gmail.com

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2900 Crystal Drive, Suite 600 Arlington, VA 22202 United States

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Sarah LaTourette Kayser <latoursm@gmail.com>

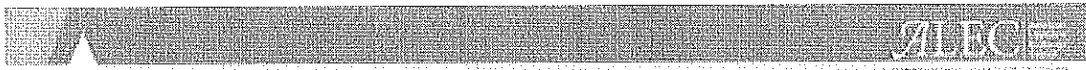
Your ALEC Digital Exchange 10/05/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Thu, Oct 5, 2017 at 3:36 PM

To view this email as a web page, go [here](#).



Digital Exchange - October 5, 2017

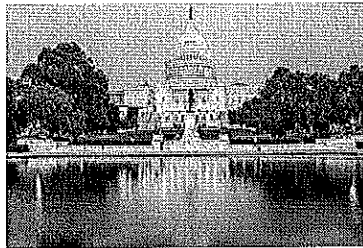


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Eliminate State and Local Tax Deductions



The ALEC Center for State and Fiscal Reform has been leading the charge to eliminate state and local tax deductions as part of a comprehensive tax reform package. Doing away with this deduction will finance more than a 10-point cut in the corporate rate and spur robust growth... (more)

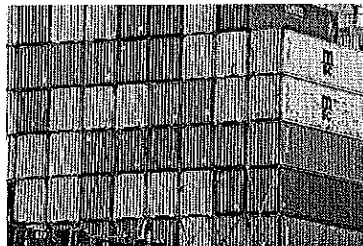
If you are a state legislator please consider signing our letter in support of this elimination.

[Sign the Letter](#)

Expert Opinion

Tariffs and Protectionism Are Not The Way to Make America Great Again

Karla Jones, Federalism and International Relations Task Force Director | The Hill



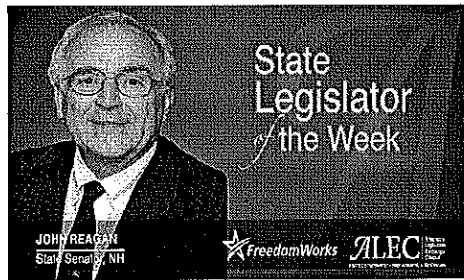
Last month the U.S. International Trade Commission ruled in favor of a petition filed earlier this year under Section 201 of the Trade Act by solar panel manufacturers Suniva and SolarWorld. The filing alleged that the two bankrupt companies experienced serious injury due to overseas competition.

[Read the Full Article](#)

Legislator of the Week

Live Free or Die

This week, ALEC and FreedomWorks introduce New Hampshire State Senator John Reagan from the 17th district. In his 11th year as a state legislator, Reagan serves in the Granite State's Senate as the Chair on

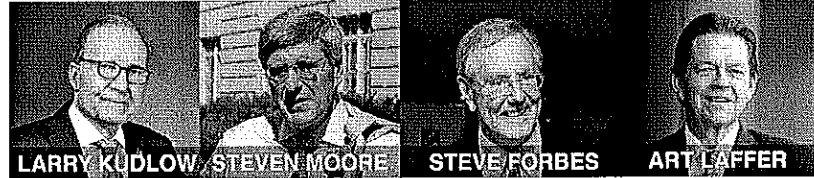


Education, Vice-Chair on Finance, and Vice-Chair on Executive Departments and Administration.

[Read More About Sen. Reagan](#)

States and Nation Policy Summit '17

Early Bird Registration Ends November 9

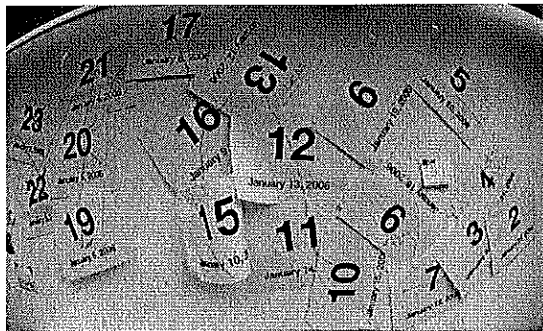


Early Bird registration for SNPS ends November 9th. You do not want to miss out on our exciting line up of speakers including Larry Kudlow, Steve Moore, Steve Forbes and Art Laffer.

Hotel rooms are going quickly if you want to extend your stay in the "Music City."

[Register Here](#)

Important SNPS Deadlines



Policy Submission Deadlines

- October 23, 2017: **45-Day Policy Submission Deadline.** If you would like to introduce new model policy, please email your Taskforce Director the draft language by October 23.

- November 2, 2017: **35-Day Notice Published.** This will contain a draft of the Task Force Meeting Agendas and model policies scheduled for consideration and review at the Task Force Meeting.



**Now Accepting Applications for
ALEC Legislative Staff Fellowship**

The ALEC Legislative Staff Fellowship provides participants the tools necessary to be successful in their careers, learn about free market principles and build lasting relationships with peers from around the country.

Key Features Include:

- Professional Development and Training
- Peer-to-Peer and Vertical Networking
- Policy Discussion, Dissection and Analysis

To learn more about the program, please contact Lacey White, ALEC Policy Manager, at lwhite@alec.org

Applications are due October 9th.

Apply for Fellowship



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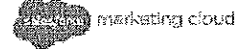
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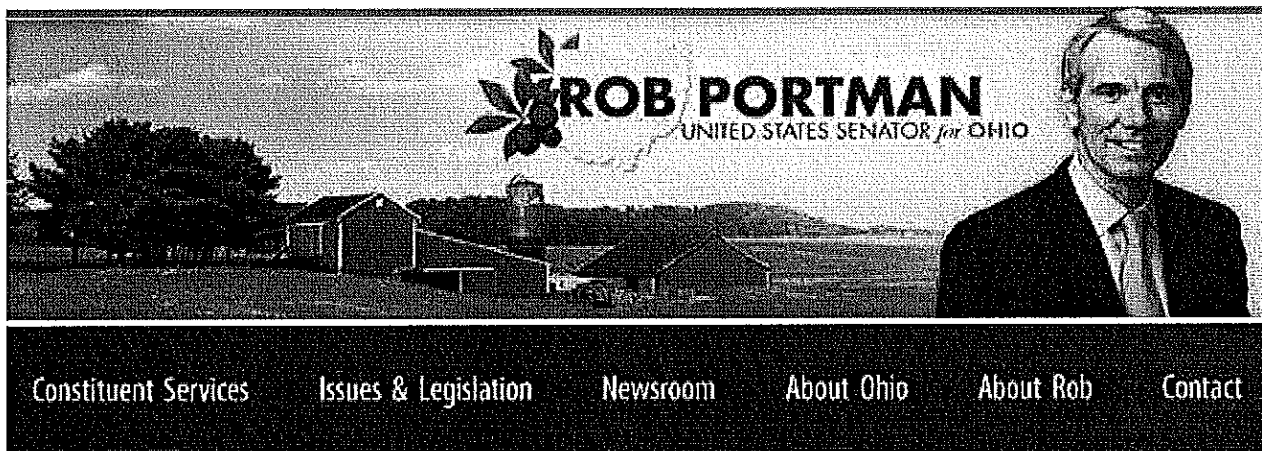
Sarah LaTourette Kayser <latoursm@gmail.com>

Rob's Rundown: Week of October 2-6, 2017

1 message

Senator Rob Portman <no_reply@portman.senate.gov>
To: latoursm@gmail.com

Fri, Oct 6, 2017 at 4:57 PM



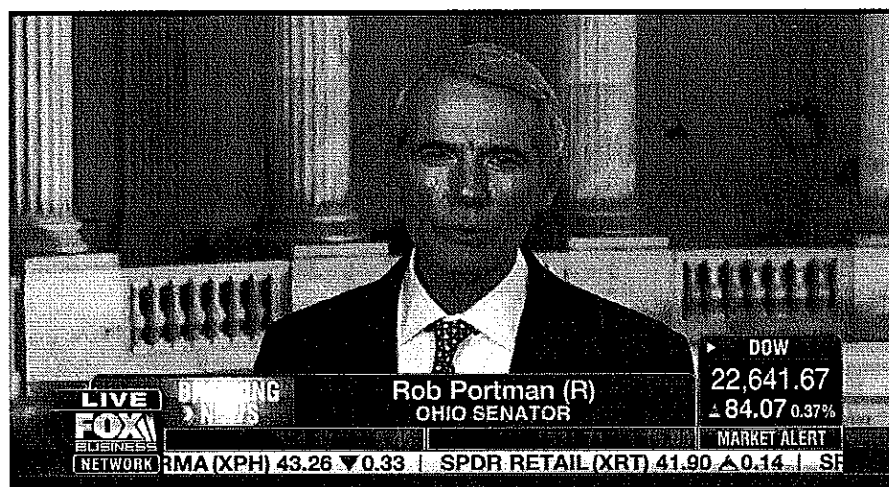
This week, Senator Portman focused his efforts on reforming our broken tax code to help create jobs, boost wages, and increase opportunity for all Americans. Portman also continued to build momentum for his bipartisan Stop Enabling Sex Traffickers Act, urged Congress to extend the Children's Health Insurance Program (CHIP) and more. For an in depth look at Senator Portman's week, please see the following:

Tuesday, October 3

On Fox Business, Portman Discusses Tax Reform, Puerto Rico & Las Vegas

During an interview on Fox Business, Portman discussed his efforts to simplify and reform the tax code to create more jobs and increase wages, the ongoing relief efforts in Puerto Rico, and the horrific shooting in Las Vegas.

Excerpts of the interview can be found [here](#) and a video can be found [here](#).



Senators Welcome Support from IBM for the Stop Enabling Sex Traffickers Act

Senators Portman and Richard Blumenthal (D-CT) issued the following joint statement welcoming the support of IBM for passing the bipartisan *Stop Enabling Sex Traffickers Act*:

"There is significant and growing bipartisan support for the Stop Enabling Sex Traffickers Act, and we are pleased that IBM has added its important voice to this effort. We have a responsibility to hold online sex traffickers accountable and ensure that trafficking survivors can get the justice they deserve. This narrowly-crafted bill would accomplish that goal. It's time for the Senate to act."

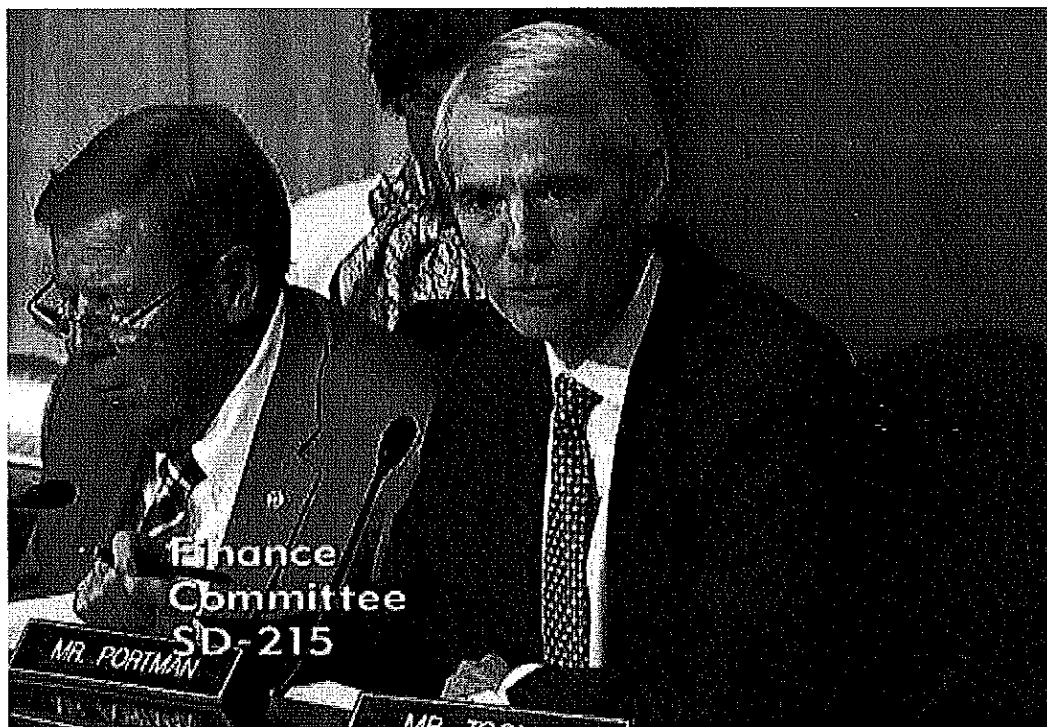
NOTE: Oracle, Hewlett-Packard Enterprise, 21st Century Fox, and the Walt Disney Company all recently endorsed this legislation—in addition to dozens of anti-human trafficking and law enforcement groups.

The full text of IBM's letter of support is here.

At Senate Finance Hearing, Portman Urges Action on Tax Reform

During a Senate Finance Committee hearing on international tax reform, U.S. Senator Rob Portman (R-OH) urged congressional action on tax reform, saying that our *"outdated, antiquated, and broken"* tax code is *"hurting us and it's hurting the workers I represent."* Portman, who has been a leader in efforts to reform the tax code and protect taxpayer rights, has been vocal in support of reforming the tax code to help create jobs, increase wages, and lead to greater opportunity for all Americans. Portman chaired the conclusion of the hearing and discussed in depth how tax reform will help grow the economy.

Transcript of his remarks can be found [here](#). Video of his first line of questioning can be found [here](#). The second line of questioning can be found [here](#).



Portman, Finance Committee Republicans Urge HHS to Increase Safeguards Against Opioid Fraud

Portman, Senate Finance Committee Chairman Orrin Hatch (R-UT), and nine other committee Republicans today urged Department of Health and Human Services (HHS) Acting Secretary Don Wright to increase safeguards against opioid fraud. In a letter, Finance Committee Republicans requested information about actions HHS is taking to prevent opioid abuse among Medicare Part D providers and beneficiaries.

"We appreciate that the Department of Health and Human Services (HHS), under the current Administration, continues to identify our nation's opioid epidemic as a top priority," the senators wrote in the letter. "While HHS and others are diligently working to address this multi-faceted problem, it is clear that more must be done. Further collaboration between the HHS and members of the Committee on Finance to address this growing epidemic is necessary to improve the lives of individuals and families, protect our communities, and ensure the appropriate use of taxpayer dollars."

Joining Portman and Chairman Hatch were Sens. Chuck Grassley (R-IA), Pat Roberts (R-KS), John Cornyn (R-TX), John Thune (R-SD), Richard Burr (R-NC), Johnny Isakson (R-GA), Pat Toomey (R-PA), Tim Scott (R-SC) and Bill Cassidy (R-LA).

The full letter may be found [here](#).

House Passes Portman-Kaine Bill to Promote Early Hearing Detection in Newborns, Infants & Young Children

Senators Portman and Tim Kaine (D-VA), a member of the Senate Health, Education, Labor & Pensions (HELP) Committee, today announced that the House of Representatives passed their bipartisan *Early Hearing Detection and Intervention Act*, legislation that will reauthorize current research and improve public health programs for early detection, diagnosis, and treatment of hearing loss in newborns, infants, and young children. The Senate passed the bill on September 6, 2017. The measure is now headed to the president's desk for his signature.

"Early hearing detection is critical because children with hearing loss often fall behind their peers in speech development, cognitive skills, and social skills," said Portman. "This bill takes important steps to improve early hearing detection and intervention for newborns, infants, and young children. I am pleased my House colleagues acted quickly on this important legislation, and I urge the president to sign it into law."

"The American Speech-Language-Hearing Association (ASHA) is pleased that the Early Hearing Detection and Intervention (EHDI) legislation has passed in the House and Senate and is headed to the president's desk," said ASHA President Gail Richard, PhD, CCC-SLP. "We are grateful for the efforts of Senators Portman and Kaine as well as Congressmen Guthrie and Matsui in promoting this legislation. The EHDI program has been successful in ensuring hearing screening at birth for more than 97 percent of all newborns. This legislation will build on the success of the program and place more emphasis on ensuring that those identified with a hearing loss receive the care they need."

NOTE: The *Early Hearing Detection and Intervention Act* reauthorizes current research and public health activities related to early detection, diagnosis, and treatment of hearing loss in newborns and infants. In addition, to ensure the continued success of existing early hearing detection and intervention programs, the bill makes a number of key improvements. Specifically, this bill expands early hearing detection and intervention programs to include young children, improves access to appropriate follow-up and intervention services when hearing loss is identified, and clarifies the roles of the Centers for Disease Control and the Health Resources and Services Administration. For more information, go [here](#).

Wednesday, October 4

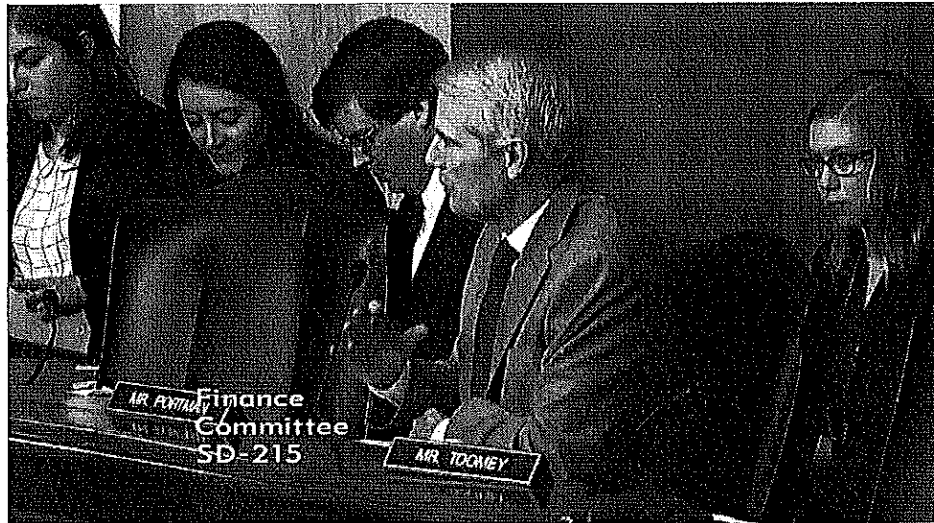
Portman Praises Senate Finance Committee Passage of Bipartisan CHIP Program

During a Senate Finance Committee hearing, Portman praised committee passage of the bipartisan *Keeping Kids' Insurance Dependable and Secure (KIDS) Act*, legislation that extends funding for the Children's Health Insurance Program (CHIP). Portman released the following statement:

"I am pleased the Senate Finance Committee acted today to protect a vital program that helps 219,000 Ohio kids and nine million children nationwide get high-quality health coverage. With Ohio's CHIP funding set to run out by the end of this year, it is critical that the Senate move quickly to extend this funding so that children and families who rely on

this program are not left behind and so that low-income kids can reach their God-given potential."

Transcript of excerpts of Portman's remarks at the Finance hearing on CHIP as well as other of his key legislative priorities can be found [here](#). A video can be found [here](#).



Senate Homeland Security Committee Passes Bipartisan Portman-Hassan Hack DHS Act

On Thursday, the U.S. Senate Homeland Security and Governmental Affairs Committee passed the bipartisan *Hack Department of Homeland Security (DHS) Act*, which was introduced by Senators Rob Portman (R-OH) and Maggie Hassan (D-NH). The bill, which is also cosponsored by Senators Claire McCaskill (D-MO) and Kamala Harris (D-CA), would establish a bug bounty pilot program - modeled off of similar programs at the Department of Defense and major tech companies - in order to strengthen cyber defenses at DHS by utilizing "white-hat" or ethical hackers to help identify unique and undiscovered vulnerabilities in the DHS networks and information technology.

Bipartisan companion legislation has also been introduced in the U.S. House by Congressmen Ted Lieu (D-CA) and Scott Taylor (R-VA).

"The networks and systems at DHS are vital to the security of Ohioans and all Americans. It is imperative that we take every step to protect our DHS networks from the threats they face every day. One important tool would be to incentivize ethical hackers in the private sector to find vulnerabilities before bad actors do. I applaud the Homeland Security and Governmental Affairs Committee for approving this important bill and look forward to working with Senator Hassan to continue building support in the Senate to protect DHS from cyber threats," Senator Portman said.

NOTE: As the Department in charge of helping to secure all ".gov" domains, as well as critical infrastructure throughout the country, DHS must ensure that its own networks and information technology are free from unintended or unidentified vulnerabilities. The *Hack DHS Act* will establish a bug bounty program based on the Department of Defense's pilot program. Under the bill, payments would be provided to white-hat hackers that identify unique and undiscovered vulnerabilities in DHS's networks and data systems. These white-hat hackers must submit to a background check to help ensure that these individuals do not pose a threat. In addition, the DHS Secretary must work with the Attorney General to ensure that participants in the bug bounty program do not face prosecutions for their specific work in the program.

During a Homeland Security and Governmental Affairs Committee markup Thursday morning, Senator Portman explained how the *Hack DHS Act* will strengthen cyber defenses at DHS. Excerpts can be found [below](#) and a video can be found [here](#).

"I think it's important to explain it a bit... What we propose is basically taking the Pentagon model. What it says is that you actually bring in the White Hats, the hackers that are good

at what they do, and try to find vulnerabilities in the system. And it's worked well at the Pentagon. They call it the Bug Bounty Program and they've experimented with large contracts to identify a number one vulnerabilities. Over 200 vulnerabilities reports came in from these white-hat hackers in the first six hours alone. In other words, they were able to discover where the vulnerabilities that could then be closed to keep the people who were not wearing the White Hats, who are trying to access are, in this case Department of Defense, but as Senator Daines just said, the Department of Homeland Security's job is to keep us safe and so we think that it is absolutely appropriate to take this program over to the Department of Homeland Security. He also said we should focus on IT, that's what this is, so I'm hopeful that this legislation, which was improved today by the way, and I appreciate that, and I think that we're all interested in making sure it works effectively and that DHS is ready to address any vulnerabilities immediately. I think the bill is improved thanks to your staff today, in that regard. But let's make this work at DHS, let's get this through the floor and then let's see whether it's appropriate to extend to other agencies and departments, because this is not going away. We've seen in the front pages this morning again the discussion of how vulnerable we are as a country to hackers, some of which are foreign country controlled hackers and it's important that we move this to DHS. So thank you for your support on that and I appreciate the fact that we now have it moving toward the floor for a vote."

Friday, October 6

New Portman Video Highlights the Need for Tax Reform, More Jobs & Better Wages

Portman released a video on Friday highlighting the need for Congress to act quickly on tax reform to help create jobs, increase wages, and expand opportunity for all Americans. Portman, who has been a leader in efforts to reform the tax code and protect taxpayer rights, has been vocal in support of reforming the tax code, hosting tax reform roundtables in Columbus and Dayton with local business leaders, in Cleveland with the Greater Cleveland Partnership, and in Cincinnati with the Cincinnati USA Regional Chamber. Portman released the following statement:

"Too many Ohio families are facing the middle-class squeeze of flat wages and a higher cost of living. They deserve relief, and a robust economy that enables them to live out their God-given potential. Tax reform is an opportunity to create jobs, boost wages, and increase opportunity for all Ohioans who for too long have been saddled by an outdated and broken tax code that has hurt them and their paychecks. I'm excited about the opportunity before us, and I'm optimistic that Congress can get this done for American workers and families."



Portman Praises ITC Decision to Protect Whirlpool Jobs from Unfair Foreign Trade

Portman praised the International Trade Commission (ITC) decision to impose restrictions on imported washing machines that will stop South Korean manufacturers from unfairly flooding the American market. Portman, who has a lengthy record of delivering results for Ohio workers, testified before the ITC in September to protect Whirlpool and its 10,000 Ohio workers, including the more than 3,000 workers at Whirlpool's largest American factory in Clyde, from unlawfully imported washers into the United States. Portman hosted an employee town hall meeting earlier

this year at Whirlpool's Clyde facility where he discussed his efforts to fight against unfair trade practices.

"This decision will help ensure that Whirlpool's workers in Ohio get a fair shake against unfair imports. Ohio has the most skilled workforce anywhere in the world, and Ohio's Whirlpool workers make a world-class product efficiently. In Clyde, a washer comes off the assembly line every four seconds, and dozens of state-of-the-art autonomous vehicles are constantly buzzing around the floor. I have seen this firsthand and have met with hundreds of Ohio's Whirlpool employees; it is easy to see why Whirlpool continues to invest in Clyde and its workers," said Portman. "However, Ohio manufacturers are too often faced with foreign competitors who cheat on trade. For years, Whirlpool has been hurt by unfair practices from their overseas competitors, who continue to look for ways to cheat, including by moving their production facilities to China. That is why I am committed to giving these workers a fair shake against unfair trade practices. With a level playing field, these workers can compete and win against anyone, and I will continue to work to ensure that our Ohio manufacturers get the level playing field they deserve."

Portman is the co-author of the ENFORCE Act and the Leveling the Playing Field Act, legislation that is paying dividends for Ohio's workers, and he has worked closely with Whirlpool and its Ohio employees to combat unfair foreign trading practices. In 2012, Portman sent a letter urging the Commerce Department to defend Whirlpool, which returned all production to the United States in 2008. He also provided testimony to the ITC. In response to evidence of foreign companies dumping their washers in the U.S. market, the ITC heeded Portman's concerns and penalized those foreign companies with anti-dumping tariffs.

Following the ruling, however, South Korean manufacturers moved their washer production facilities to China, skirting the order and continuing to dump its products unfairly into the United States. Portman again testified on Whirlpool's behalf before the ITC, arguing once again that these foreign companies were illegally dumping washers into the United States. In January of this year, the ITC agreed and ruled that Whirlpool workers had been harmed by the flood of unfairly traded washing machine imports from China. That decision meant additional duties will be applied to washers imported from China into the United States. This most recent decision by the ITC will impose restrictions on imported washing machines that will prevent South Korean manufacturers from evading duty orders by "country-hopping", and ensure that they can no longer flood the American market with cheap machines.

On Social Media



Rob Portman @senrobportman · Oct 1

Sally and I at finish of Little Miami Triathlon: Good cause, great crowd, beautiful day.



Rob Portman @senrobportman · Oct 4

Enjoyed meeting w/ constituents during an important time in Washington. Thank you for sharing your thoughts with me. #Ohio





Rob Portman @senrobportman · Oct 4

Good story on the @OHNationalGuard heading down to #PuertoRico to help their fellow citizens in need: [dispatch.com/news/20171004/...](http://dispatch.com/news/20171004/) #Ohio



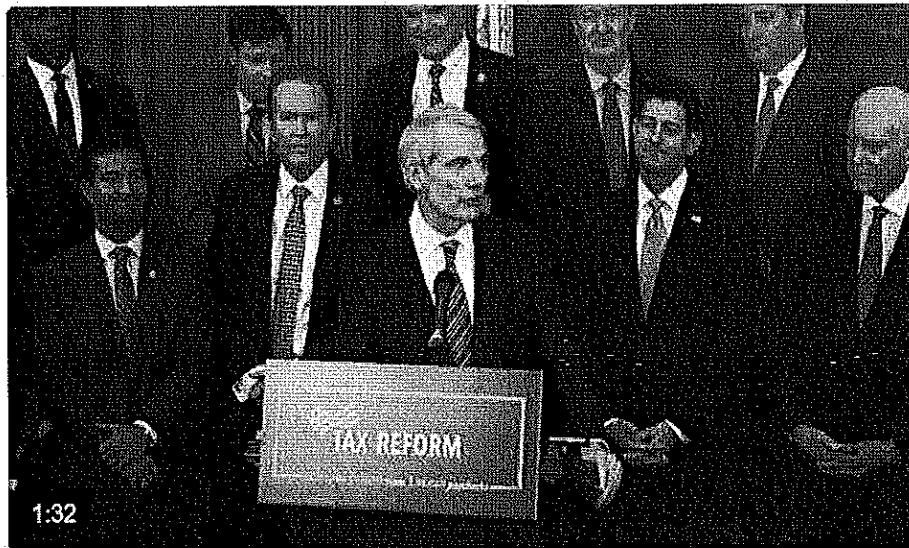
Ohio National Guard members head to Puerto Rico

The soldiers waited and waited and waited some more — since Sept. 23 to be exact — for the final orders that would send them off to help the hurric...
dispatch.com



Rob Portman @senrobportman · 20h

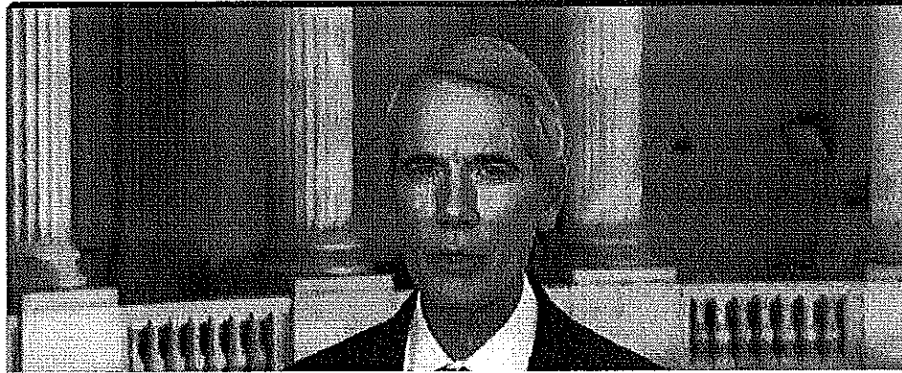
Our tax code is outdated and broken, and it's hurting workers in #Ohio and across the country. American workers deserve better. #TaxReform





Rob Portman @senrobportman · Oct 4

So thankful for our military and first responders helping w/ relief efforts in #PuertoRico. They are doing all they can to help.



Rob Portman @senrobportman · 21h

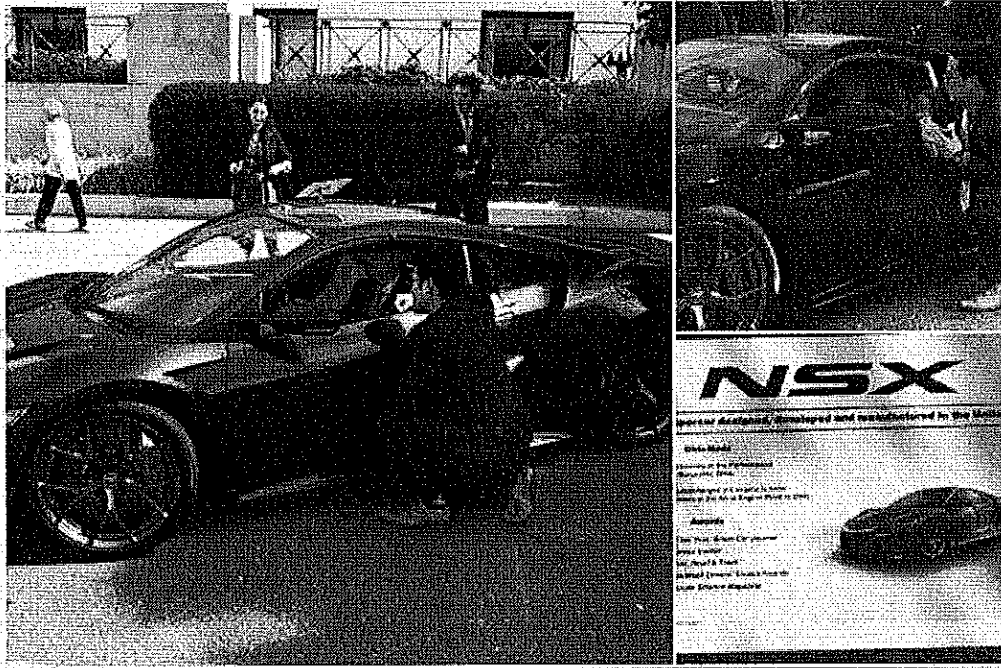
Enjoyed meeting w/ @XavierUniv President Father Graham (and member of my staff & XU alum Meghan)! Exciting things happening at Xavier.





Rob Portman @senrobportman · 21h

Got to learn abt the @Honda NSX Supercar today - the first to be built in #Ohio! They told me it might be slightly faster than my Model T



Rob Portman @senrobportman · 24h

The "Hack DHS" Act is a creative solution to a complex problem. Senate should act: thehill.com/policy/cyberse... #CyberSecurity



Senate panel approves bill compelling researchers ...

Legislation would set up pilot 'bug bounty' program to catch vulnerabilities in Homeland Security systems.

thehill.com



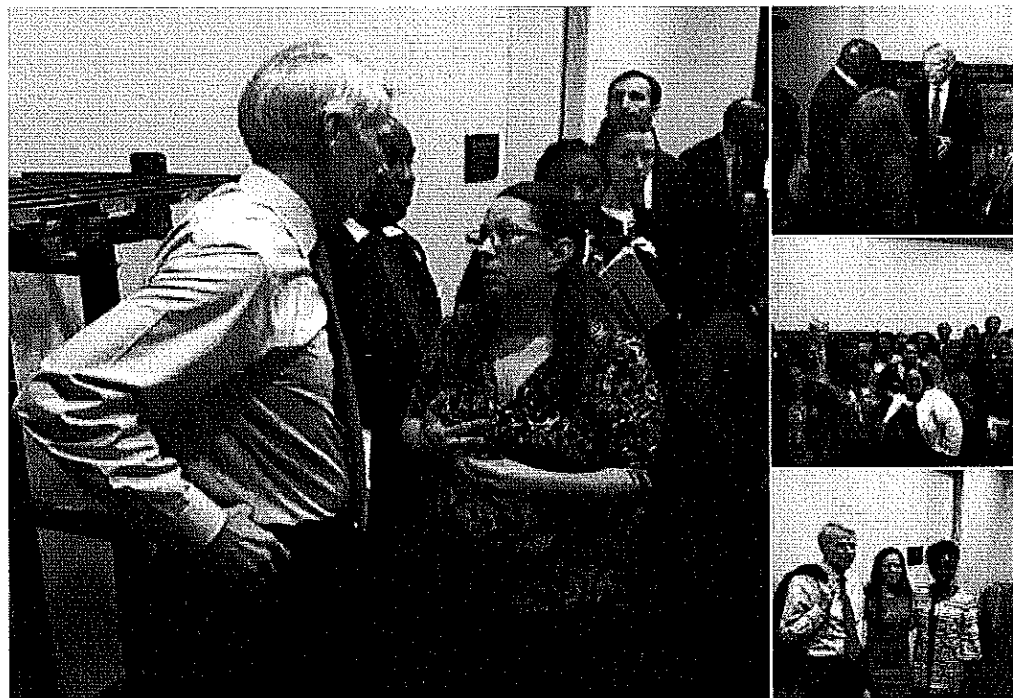
Rob Portman @senrobportman · Oct 3

We have no choice but to act to help stop online sex trafficking of women & children. #SESTA #CDA230 #EndHumanTrafficking



Rob Portman @senrobportman · Oct 2

So thankful to the victims of #humantrafficking & advocates who are speaking out so more innocent people don't have to suffer. #SESTA #CDA230



limaohio.com

JSMC finally receiving level of support it needs

America's military might is unmatched. Our men and women in uniform carry out critical operations and defend democracy across the globe. It is one of my greatest privileges as a U.S. senator to represent the many Ohioans who serve our country, either through military service or as an employee of the many Ohio companies that provide support to our military.

There is no better example of those assisting our men and women in uniform than the patriotic workers at the Joint Systems Manufacturing Center (JSMC), also known as the Lima Tank Plant.

I recently had the opportunity to once again tour the JSMC and meet with the skilled employees who make the best armored vehicles in the world. It was part of my five-day defense tour across Ohio, where I visited a dozen military facilities and traveled more than 1,400 miles to see some of the valuable contributions Ohioans make toward our national security.

JSMC produces Abrams tanks — the world's most capable battle tanks, as well as Stryker vehicles — the Army's most versatile and deployable combat vehicles. After years of effort, the Lima plant is finally receiving the level of support it needs to continue providing world-class armored capabilities to U.S. troops and our allies...

("JSMC finally receiving level of support it needs," Rob Portman. Lima News. September 30, 2017)

The News-Messenger

Portman lauds Senate passage of bill to fight algal blooms

U.S. Sen. Rob Portman, R-Ohio, announced that the Senate has passed bipartisan legislation he authored with Senators Bill Nelson, D-Florida, and Gary Peters, D-Michigan, called the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act.

Portman worked with Senator Nelson to reauthorize the program in 2014 and negotiated a Great Lakes section that has ensured federal agencies prioritize monitoring and mitigation efforts in fresh water bodies such as Lake Erie...

Portman, who was recently named Co-Chair of the Senate Great Lakes Task Force, issued the following statement after the Senate vote:

"This legislation takes critical steps toward protecting Lake Erie and other freshwater bodies throughout Ohio and the nation from toxic algae. It is important that these water bodies are protected, as they supply drinking water to millions of Ohioans and are critical for Ohio's tourism and fishing industries. I am pleased that this program has provided a toolkit and forecasts that help our communities prepare for and respond to the impact of HABs (Harmful Algal Blooms). For the first time, our legislation also allows funding to be potentially provided to communities with significant HAB outbreaks to help protect against environmental, economic, and public health risks. I look forward to working with my colleagues to get this important legislation to the president for his signature."

("Portman lauds Senate passage of bill to fight algal blooms," Staff. Freemont News-Messenger. October 4, 2017)

Chillicothe Gazette

A GANNETT COMPANY

American Centrifuge still part of Piketon site discussions

While U.S. Energy Secretary Rick Perry could not say for certain Friday what role facilities like the now-defunct American Centrifuge Plant in Piketon may play in future energy policy, he believes

they need to play some role.

"What role is America going to play in civil nuclear (production) or, for that matter, what role would our being able to process uranium for our weapons, tritium in particular (play)?" Perry said. "I think it's really important. I'm not here to announce the restarting of a program, please don't take (it that way). What I am concerned about is that the United States of America has historically been the leader in nuclear energy, but over the last few decades, we have lost that position..."

The American Centrifuge was among the stops on a tour Perry took Friday morning of the Department of Energy site in Piketon. Along with U.S. Sen. Rob Portman and U.S. Reps. Brad Wenstrup and Bill Johnson, his tour also included cleanup work at the former Portsmouth Gaseous Diffusion Plant and other associated facilities on the property. U.S. Sen. Sherrod Brown also had been vocal in pushing for Perry to visit the site but was not on the tour Friday...

Portman elaborated on the secretary's remarks, noting that the first step is to finish cleanup of the existing American Centrifuge and to do it a bit more quickly for greater cost savings, safety and ability to reindustrialize.

"But then we need the new centrifuge technology to be here because this is the place we have the facility, we have the community support, we have the workforce, we have the supply chain," Portman said. "It would be a huge waste of money to re-create what we have here somewhere else. So my pitch to (Perry) was very simple: We have a new technology, America needs to have a source of enriched uranium, and this is the right place to do it."...

A domestically-owned source of enriched uranium is required for use in America's nuclear fleet, and the closure of facilities in Piketon and Paducah, Ky., eliminated that domestic source. While there is a stockpile, which the Obama administration estimated could last as long as two decades, Portman noted it can't last forever.

"It takes a long time to get the new technology up and going, so let's go now," he said.

One of the positives of Perry's visit, both Portman and Wenstrup said, was in the secretary's commitment to provide a more stable budgetary funding stream to the cleanup work at the former Cold War-era enrichment plant that makes up the majority of the DOE property in Piketon. Workers in recent years have had to endure uncertainty in the funding cycle that during one stretch almost annually brought threats of sizable layoffs, in part because much of the program's funding had been at the whim of a barter program that allows stockpiles of uranium to be sold on the open market.

("American Centrifuge still part of Piketon site discussions," Chris Balusik. Chillicothe Gazette. September 29, 2017)

The Columbus Dispatch

Ohio Sens. Portman, Brown urge tougher Trump crackdown on N Korea

Republican Rob Portman and Democrat Sherrod Brown joined 10 other senators Wednesday to urge the Trump administration to formally label North Korea a state sponsor of international terrorism.

In a letter to Secretary of State Rex Tillerson, the six Democrats and six Republicans wrote that since former President George W. Bush in 2008 dropped North Korea from the list of state sponsors of terrorism, the Pyongyang regime has continued to develop its nuclear weapons program along with the missiles to deliver a nuclear warhead.

"Over the past nine years, the North Korean regime has consistently shown a disregard for international norms and agreements, re-energizing its pursuit of nuclear weapons and the means to deliver them," the senators wrote...

7/23/2018

Gmail - Rob's Rundown: Week of October 2-6, 2017

("Ohio Sens. Portman, Brown urge tougher Trump crackdown on N Korea," Jack Torry. Columbus Dispatch. October 4, 2017)

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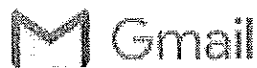
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Sarah LaTourette Kayser <latoursm@gmail.com>

Your ALEC Free Speech Updates

1 message

Shelby Emmett <semmett@alec.org>
To: latoursm@gmail.com

Tue, Oct 10, 2017 at 6:04 PM

To view this email as a web page, go [here](#).



Center to Protect Free Speech - October 10, 2017



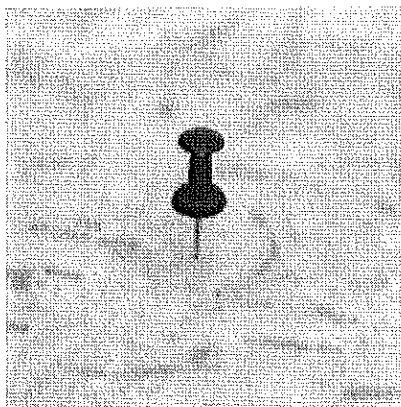
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Have a Free Speech Briefing in Your State

Contact Shelby Emmett for more information: Semmett@alec.org



The Center to Protect Free Speech is currently holding a series of free speech issue briefings for state legislators at state capitols across the United States. These briefings cover the issues of campus speech, donor privacy and commercial speech. The Center to Protect Free Speech has already held briefings in South Carolina, Michigan and Utah.

[Schedule Your Free Speech Briefing](#)

Campus Speech

Overview of FORUM Act Video



ALEC Center to Protect Free Speech Director Shelby Emmett explains the unique aspects of the Forming Open and Robust University Minds (FORUM) Act and why this model policy is so important today.

[Watch Video](#)

State Laws on Free Speech - How Does Your State Measure Up?

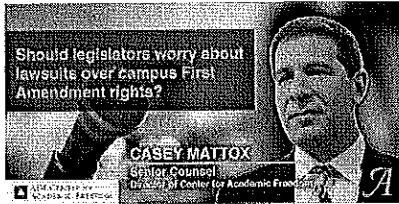
Casey Mattox | Alliance Defending Freedom (ADF)

Alliance Defending Freedom (ADF) has released a great new guide on all 50 states that details where there are current state laws protecting the rights of free speech and association on public university campuses. Also check out



[these maps](#) to see which states provide free speech protections at public universities.

Casey Mattox on Why Legislators Need to Address Campus Speech



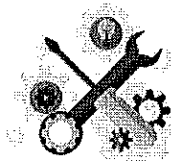
In a Q&A, First Amendment attorney Casey Mattox of the [Alliance Defending Freedom's Center for Academic Freedom](#) outlines why state legislators should be concerned about campus free speech and the potential lawsuits from students who feel that their rights have been violated.

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Donor Privacy

Donor Disclosure Legislative Toolkit

Donor Disclosure Legislative Toolkit

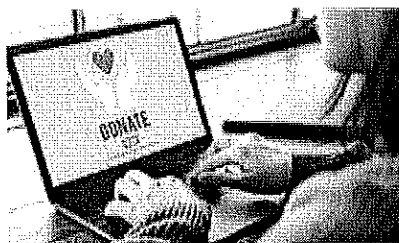


This [toolkit](#), created by the ALEC Civil Justice Task Force and the ALEC Center to Protect Free Speech, prepares and equips state legislators and their staff to handle the issue of donor disclosure when they encounter it in the legislature.

[View Toolkit](#)

Beneficial Ownership Disclosure: A Huge Donor Disclosure Threat

Shelby Emmett | Director, Center for Protect Free Speech



Legislation like the TITLE Act and Corporate Transparency Act would materially facilitate the kind of targeting and intimidation tactics Senator Kamala Harris [used when she was Attorney General of California](#). Nothing would prevent another overzealous state attorney general from seeking beneficial owner information to attack donors to public education campaigns, voter outreach efforts, or communications urging support or opposition to state ballot initiatives like those who [supported efforts to combat Proposition 8 in California](#).

[Read Full Article](#)

Approaching Free Speech Issues

Protests: Enforce the Laws on the Books Before Writing New Ones

Daniel Turner | Research Analyst, Center to Protect Free Speech



Every time there is a crisis, the pressure is on legislators to do something about it. Recently, the crisis has been protests. In the wake of violent protests, the burning question is: what can be done to avoid similar incidents in the future?

[Read Full Article](#)

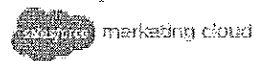
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Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Tuesday, October 10, 2017

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OHIO REPORT TUESDAY, OCTOBER 10

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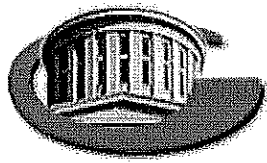
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GONGWER Ohio
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Volume #86, Report #195 -- Tuesday, October 10, 2017

Governor Announces New ODOT Plan To Lure Autonomous Vehicles To Ohio

Ohio is expanding its efforts to prepare for autonomous vehicles, Gov. John Kasich announced Tuesday.

DriveOhio, a center of sorts that will be housed in the Department of Transportation, will focus entirely on paving the way for Ohio to become the leader in autonomous connected vehicle technology, the governor said at the Ohio Transportation Engineering Conference.

"I want these connected autonomous vehicles to come" to Ohio, he said, adding: "We're changing the face of the state and a big part of this of course is the development of technology."

The state has already made some strides toward advanced technology on its roadways by creating smart corridors and installing fiber optic cable on northern and central Ohio roads as well as on the Turnpike, Gov. Kasich said.

Jim Barna, ODOT's chief engineer and assistant director of transportation policy, said the goal of the DriveOhio center, is to "bring the researchers, the developers and manufacturers together as we move into this world of autonomous connected vehicles."

"Similar to what JobsOhio does for economic development is what DriveOhio would do in the autonomous vehicle world," he added.

DriveOhio will operate under the auspices of ODOT, but will also rely on experts from the Departments of Public Safety, Administrative Services and Insurance, as well as the Public Utilities Commission of Ohio, Mr. Barna said in an interview.

Although the center won't be fully operational until next year, he said working groups have already been meeting to dig into data technology, regulatory policies and workforce development related to autonomous vehicles.

The latter area will be a primary focus for the center to ensure Ohioans are prepared to fill the jobs that will come along with updated infrastructure and technological advances tied to autonomous vehicles, Mr. Barna said.

The center, he said, will also highlight the state's current fiber roadways and the Transportation Research Center near Marysville, which could be useful to technology researchers or developers from around the world.

"This will give us an opportunity to market these state assets as we look to drawing more investment into the state," Mr. Barna said.

Gov. Kasich said expanding options for autonomous vehicles will not only increase economic interests in the state, but could also lead to safer roadways.

"A heck of a lot of what we're doing in the state with connecting all the autonomous vehicles and the way in which we're working with Marysville with what we're going to do on our highways in rush hour, are all designed to save lives," Gov. Kasich said.

He pointed to ODOT research that shows about 80% of vehicle accidents could have been prevented or less serious because they involved some type of distracted or impaired driving.

Providers, Advocates Encourage Higher Standards For Alzheimer's, Dementia Caregivers

Care for Ohioans with Alzheimer's disease and dementia could be improved by boosting training standards and access to education for caregivers who work with patients in their homes or in facilities, a House task force was told Tuesday.

The Speaker's Alzheimer's and Dementia Task Force heard from advocates and care providers who said caregivers and family members need access to more training, and patients and relatives should look specifically for facilities that provide staff well-versed in caring for dementia.

Cheryl Kanetsky, executive director of the Alzheimer's Association Greater East Ohio Chapter, discussed the association's training and care standards. The association plans to release updated recommendations next year, and she said they will continue to focus on person-centered care and include the role of family caregivers.

The association, she said, is often asked to help people choose the appropriate long-term care facility for dementia care. It's more important, she said, to choose one based on the staff's training and experience with dementia than to decide based on its physical features or amenities.

"Please consider increasing dementia-specific staff training standards and requiring a competency-based model where the professional has to demonstrate mastery of the competency rather than just sitting through a training program," she said.

She also recommended increasing staff ratios based on the care needed by the patient and environmental safety and medical standards.

Task force member Kathryn Brod, executive director of LeadingAge Ohio, asked if she was aware of ways technology has been used to supplement staff.

Ms. Kanetsky said she has not seen it in residential facilities as much, but her father-in-law, who had Lewy Body dementia, had a chair alarm in a nursing facility but not in assisted living. She said devices such as alarms can cause concerns with residents who are worried about additional restraints.

Heidi Reed, director of assisted living at Willow Brook at Delaware Run, said a successful memory care center should create a belief system that sets high standards for staff and residents. She said the people who work in memory care units should be fulfilled with completing tasks at the pace the resident is comfortable, not at their own pace.

Staff members should also be trained at all levels, she said, and it should include learning the stages of the disease and what to expect at each stage.

Memory care units should provide safe, homelike environments, she said. They should also provide opportunities for residents and staff to have success.

Chair Rep. Dorothy Pelanda (R-Marysville) asked how important assessment of the patient was.

"Assessment is key," Ms. Reed said. "Not that we can see the future necessarily but we can have an anticipated pathway for that individual."

Susan Gregg, regional director for Caregiver Homes, recommended the state create a shared living benefit for individuals with Alzheimer's, dementia or cognitive impairment. She praised efforts to create such a benefit, but said those stalled during the budget process.

"Doing so will not only provide family caregivers with tangible coaching and financial support, but will also yield demonstrate savings for our state and its managed care partners from reduced long term facility care and more appropriate utilization of health care costs," she said.

She also suggested the state create dementia training for caregivers. The state can also provide coaching, including some supported by technology, to support caregivers and help them communicate easily with coaches.

Rep. Pelanda asked if caregivers should be trained and coached on assessing the person.

"I would question whether or not there's a missing piece to the puzzle and that the training really needs to occur in assessing an individual's level of dementia," she said.

Ms. Gregg said they are, and the team starts by assessing the needs of the person, the caregiver and the home.

Sylvia Pla-Raith, director of the attorney general's elder justice initiative, said seniors who suffer from dementia are at greater risk of being exploited.

"Caregiver education and attention to caregiver stress, including depression, may prevent onset and perpetuation of abuse, neglect and exploitation," she said. "This becomes especially important when caring for those diagnosed with Alzheimer's and dementia."

She said the most commonly reported types of abuse of people with dementia were verbal abuse, physical abuse or neglect and financial exploitation.

Adult protective services do a good job, she said, but they currently have limited jurisdiction. They don't have the authority to deal with cases involving dependent adults ages 18-59 and adults in licensed care facilities.

"It's particularly challenging if the victim is in a facility that's private pay," she said. "If you're living in a facility that's private, the health care fraud unit can't go in there to investigate it."

Those cases are only handled by the Department of Health, the State Long-Term Care Ombudsman and law enforcement, which have limited scopes.

Ms. Pla-Raith said education was important for professionals, family members and victims, so victims come forward sooner.

"We're usually hearing about it only after all the money's gone and it's been devastating," she said.

Mary Vail, chief mission officer at Goodwill Columbus, discussed the needs of seniors with intellectual and developmental disabilities who suffer from Alzheimer's and dementia.

She said nearly all people with Down syndrome will develop Alzheimer's disease, and the combination of dementia and developmental disabilities can provide challenges for providers.

"Life expectancy gains indicate there will be growing numbers of two-generation elderly households of people with disabilities living with their parents," she said. "These families remain intact out of choice or due to the shortage of alternative residential options. Both generations will require supports to age in place. Often, when parents can no longer provide care, siblings may be called upon to take over that role with little formal support provided to them."

House Panel Debates School Voucher Program Changes

School management groups said they don't support the existing voucher program, much less one bill's efforts to expand it.

They spoke out Tuesday against the measure (HB 200), which would make school choice vouchers available to all students with family incomes at or below 400% of the federal poverty level. The current voucher programs are based on school performance and location.

"Voucher programs lack the academic accountability of public schools," Jennifer Hogue, director of legislative services for the Ohio School Boards Association, told the House Education and Career Readiness Committee. "Further, voucher programs drain scarce resources that could be best utilized by Ohio's public schools where the vast majority of Ohio's students are educated."

She testified in opposition to the voucher expansion bill alongside representatives from the Buckeye Association of School Administrators and Ohio Association of School Business Officials.

"At a time when Ohio is experiencing scarce resources, further diversion of public funds to private education institutions is highly objectionable," Ms. Hogue said, pointing to the fiscal analysis that shows the expansion could cost the state \$48 million annually if all 60,000 available vouchers are used.

Basing the program on income instead of school performance is troubling, she said, because that could lead to some students using vouchers despite their schools being high performers.

"Not only do we believe Ohio should spend its scarce resources on improving the public school choices for all students, we adamantly oppose public support for private schools that may not do as well as the districts where they're located," Ms. Hogue said.

OASBO Legislative Advocacy Specialist Barbara Shaner also took issue with the savings accounts voucher students would have access to as well as how school transportation could be impacted.

"School districts are required to provide transportation to nonpublic schools located within thirty minutes of what would otherwise be the nonpublic student's assigned public school," she said. "While some state money would offset these costs through the transportation funding formula, we point out that state support of school bus transportation was dramatically reduced in this biennium through HB 49."

The League of Women Voters of Ohio offered similar arguments in written opponent testimony.

"Public funds should only be spent on public schools, which are accountable and responsive to the public through elected boards of education and comply with standards that ensure a high-quality education," wrote LWVO Education Specialist Joan Platz.

Parents and students have testified on how elated they were for various reasons to be able to use the voucher program, the bill's sponsor, Rep. Kyle Koehler (R-Springfield) said. He asked opponents why they would "want to deny them that choice."

Ms. Hogue said the associations aren't opposed to school choice, but rather sending state dollars to private schools. She opined the state should use education dollars to better support the public system, which also provides parents with choices, such as career tech, open enrollment and charter schools.

Meanwhile, Josh Brown, legal counsel and policy director at Citizens for Community Values, defended the bill, saying it's important to let parents have a full slate of options when deciding which schools are best for their children.

"CCV is well aware of the implications in Ohio for the state/local school funding scheme and the objections of many supporters of the current school district model. However, it is clear that educational decisions are best left to parents, not government boards and commissions, the professional education class, or government bureaucrats," he said. "Ohio's educational system should empower parents by providing all the means necessary for them to send their children to the school of their choice."

Responding to questions from Rep. Teresa Fedor (D-Toledo) and Rep. Catherine Ingram (D-Cincinnati), he said academics aren't the only reason parents choose their children's schools.

High-performing districts often have the highest taxes, Mr. Brown added, so parents can't always afford to move to move to another district where schools might be a better fit for whatever reason.

Rep. John Patterson (D-Jefferson) said the constitution requires the state to create a system of common schools, many of which have made various cuts because of tight budgets. He asked if the witness if the state should be required to fund additional education options.

Mr. Brown acknowledged that districts feel the funding loss when a large number of students take advantage of the voucher program because the districts no longer receive per-pupil funding for those students.

But, those students chose to leave for a reason and the district continues to receive local taxes, he said.

"I'm not too sympathetic to them," Mr. Brown said, adding: "We do think the money should go where the child goes."

Suzanne Lester, principal of Elyria Catholic High School, also challenged views that students aren't performing better in voucher schools.

Students consistently score 1.7 points higher than the Ohio average scores on the ACT and more than 99% have graduated and have entered the armed forces or pursued higher education.

Many families who already enroll in the school because of its excellence are middle class and struggling to pay the \$8,200 tuition, but only 16% of current students are eligible for EdChoice, she said. Other families in the community are completely shut out by the cost despite desiring to enroll in the school.

"These families deserve to have the opportunity to make the educational choice for their children they feel is best," Ms. Lester said.

Rep. Dan Ramos (D-Lorain) questioned if Catholic voucher schools are concerned about lowering the percentage of students who follow the faith and whether students who recognize a different religion feel left out.

More than 87% of the current student body identifies as Catholic, Ms. Lester said. Students who aren't Catholic are welcome to participate in all religious offerings and many do.

Answering additional questions from the panel, she said her school shares testing results with parents and those interested in enrolling and it very rarely turns away applicants.

The committee also received testimony from more than a dozen other proponents of the bill, most of who are parents of children using vouchers.

Subscribers Note: Complete Testimony is available on the committee's website under Oct. 10.

New Bill Seeks To Reduce Numerous School District Regulations

Nearly 100 laws, policies and rules that school districts must follow would be eliminated or revised under a new legislation introduced in the Ohio Senate.

Sen. Matt Huffman (R-Lima) on Tuesday introduced the Public School Deregulation Act (SB 216), which would make changes to testing, teacher evaluations, staffing policies, reporting requirements and more.

"What we're trying to do with this bill is to return the management, the running of the schools to the local level," he said in a Statehouse news conference.

Among the bill's wide-ranging provisions are those to: eliminate the Kindergarten Readiness Assessment; allow students to take paper or computer third-grade reading tests; modify reporting requirements on absenteeism, widen grade band certifications for teachers, and eliminate the K-3 literacy component on state report cards. (Bill Summary)

"It's not just about teachers; it's not just about testing or absenteeism. It's going to solve a lot of problems," Sen. Huffman said.

A working group of 40 superintendents from the 12th Senate District recommended the issues that are addressed in the bill, which members say was applauded by more than 300 school leaders at a recent Buckeye Association of School Administrators meeting.

Waynesfield-Goshen Schools Superintendent Chris Pfister, who led the group, described the legislation as "a good start to eliminating barriers, redundancy, bureaucracy and (saving) time and money."

He was joined at the press event by superintendents from Coldwater, Minster and St. Henry schools as well as the Minster County Educational Service Center. They detailed provisions in the bill and explained why they're necessary.

St. Henry Schools Superintendent Julie Garke said the bill will require the Ohio Department of Education to study College Credit Plus - a program that many deem costly and time consuming for districts and higher education institutions.

"We are excited to see the results about the program and see if it is meeting expectations," she said. "Are students saving money on college tuition? Are students reducing time to obtain their degrees?"

The measure would also codify changes to the Ohio Teacher Evaluation System that were recommended by the Educator Standards Board and accepted by the State Board of Education earlier this year. (See Gongwer Ohio Report, August 23, 2017)

Mercer County ESC Superintendent Shelly Vaughn said the recommendation to roll teachers' value-added scores into the OTES rubric will put the focus of evaluations back onto informing teaching.

Although many of the bill's provisions are geared toward reducing burdens on administrators, Sen. Huffman said they'll also benefit students.

"If the superintendent or the administrators are taking their time to try and get a particular issue handled that doesn't really appear to be helping the school that ODE say's you gotta do it, or the teacher is taken out of the class to get training they don't really need because ODE or the General Assembly says you have to do it, then that's all affecting the student," he said.

"If it helps the superintendents run the school better, it helps the students," he added.

Proponents Push For More Hearings On Proposal To Exempt Feminine Products From Sales Tax

Nearly two dozen proponents in person or in writing pushed a House committee Tuesday to continue hearings on a bill to exempt feminine hygiene products from sales tax.

But whether the House Ways & Means Committee will grant that request remains to be seen, according to Chairman Rep. Tim Schaffer (R-Lancaster).

"We'll take it hearing by hearing and if the committee wants to hear more and continue it's the committee that's in charge," Rep. Schaffer said in an interview. "I want to make sure this is a good, thorough, effective committee process and make sure if the committee wants to hear it, we're going to have more hearings."

Rep. Brigid Kelly (D-Cincinnati), who sponsored the bill (HB 614) with former House member Greta Johnson, said she'll continue making the case among her colleagues that these products are medical necessities - not luxury items - and should therefore be exempt. (See Gongwer Ohio Report, May 2, 2017)

"I'm hopeful the witnesses we brought in today helped the committee to see why this is an important issue not just for women in our state but for everyone," Rep. Kelly said. "We're going to see if they have any more questions we can provide information to them and continue moving the process along."

Among the 18 proponents giving or submitting testimony were private citizens, attorneys, the Ohio Women's Public Policy Network, and Columbus and Cincinnati city council members.

Dzidra Brown, of the Ohio Association of School Nurses, recounted how low-income students will line up Monday mornings to receive tampons and pads from school nurses because their families can't afford an adequate supply.

And a pair of representatives from Boxed Wholesale told of how their company feels so strongly about the issue it has lowered the price of feminine hygiene products and other products - like ladies' razors - that are inexplicably priced much higher than their male counterparts.

"States like New York, Connecticut and Illinois have already taken the initiative to repeal the tampon tax last year and hopefully it's just a matter of time before the entire nation follows suit and removes this discriminatory and unnecessary tax on a basic biological function," the company's Nitasha Mehta said.

Similar bills have stalled in prior General Assemblies before the committee, but Rep. Kelly points to this version's three Republican cosponsors - Rep. Niraj Antani, Rep. Michael Henne, and Rep. Nino Vitale - as progress.

"A number of our colleagues on the Republican side have indicated they are supportive of this which is really exciting they recognize the importance of a piece of legislation like this," she said. "We're really thrilled to get a second hearing and just continue the process and give people a chance to come and talk about why this is important to them and the women of our state."

Rep. Schaffer said there's no definite timeline in which he expects to gauge the committee's temperature on the bill, adding that on this and other bills, "we've got a lot of homework to do."

Regarding the testimony, he called it "very well thought out, very thoughtful testimony. I appreciate the education. The education on this bill in particular is very important."

Subscribers Note: For a full list of proponents and copies of their testimony see the committee's website under Oct. 10.

Former Opioid Dealer Urges Stronger Sentencing Requirements

Members of a House panel took full advantage Tuesday of the presence of a reformed drug dealer during a legislative hearing, as they sought to gauge a bill's potential impact on the trade.

The bill in question (SB 144) is an attempt to crack down on the trafficking of synthetic opioids - like fentanyl and carfentanyl, which are far stronger than heroin - by increasing penalties for drug dealers.

Several witnesses - including Wayne County Prosecutor Daniel Lutz, a former addict and parents who lost children to overdoses - appeared before the House Criminal Justice Committee during the bill's second hearing.

But it was the testimony of Tugg Massa, a former dealer who is now five years sober and founder of Akron Say No To Dope, that got lawmakers talking. They sought to understand the bill's full impact and to what degree dealers are aware the drugs they're peddling are almost assuredly going to end up killing someone.

The bill would lower the threshold for a first-degree felony from 100 grams to 20 grams and would require the bulk amount - including any non-drug substances - to count toward the total amount when determining possession.

Lawmakers, though, have questioned previously whether that threshold is still too high and whether such "filler" substances should be counted. (See Gongwer Ohio Report, February 8, 2017)

Mr. Massa said that a person with anything below a half of a gram is likely a go-between rather than a dealer. Rep. Bill Seitz (R-Cincinnati) requested elaboration regarding that distinction.

"Because you're not going to trust an addict with your money," Mr. Massa replied. Only dealers, he continued, would carry larger amounts.

Under further questioning, Mr. Massa explained that in Ohio, pure heroin is rare. Virtually all of it, he said, is laced with fentanyl or carfentanyl. As far as mixing agents, Mr. Massa said it's common to cut those substances with sleeping aids available at most drug stores or with "a multitude of other things."

Rep. Seitz asked the witness whether in his view the bill's language considering filler material toward the total amount of the drug is the correct approach.

"If I've got 10 grams and one gram is fentanyl but the other 9 grams are (a sleep aid) then we'd treat it under this bill as 10 grams in fentanyl," Rep. Seitz said. "In your opinion, is that appropriate?"

"Yeah, because it takes that little bit to kill someone," Mr. Massa answered. "These people are premeditatedly selling these drugs knowing it's not if someone's going to die, it's when someone's going to die."

He added that it's not rare for dealers to be unaware that what they're selling includes fentanyl or carfentanyl. But he told Rep. Tavia Galonski (D-Akron) he doesn't believe that ignorance should shield them from stiff punishment.

"I think these people have to know this is deadly," he said.

Rep. Jim Butler (R-Oakwood) asked how dealing a potentially fatal substance is different than something like armed robbery.

"With armed robbery you're not intending to kill somebody," Mr. Massa replied, adding that many addicts view dealers as friends. "With fentanyl you know nine times out of 10 someone's going to die from your mixture."

Subscribers Note: For full testimony see the committee's website under Oct. 10.

School Employees Pension Fund Suspends Cost-Of-Living Adjustment

The state retirement plan for school employees has announced it will suspend cost-of-living increases for three years, citing efforts to reach long-term funding goals.

The School Employees Retirement System Board used authority granted in the biennial budget (HB 49) to make the change, which begins on Jan. 1, 2018. A legal challenge is expected.

"SERS engaged in a two-year process for determining the best way to address the system's short-term and long-term financial challenges that was open and inclusive for all of our stakeholders," Executive Director Richard Stensrud said in a statement. "The board considered a number of proposals that would have addressed the board's goals, but in the end they were in agreement that this was the best course of action. I want to thank our advocacy group partners for their input at all stages of this difficult but necessary process."

The board also directed staff to seek legislation to delay the start of COLA increases for future retirees and recipients until the fourth anniversary of their benefit, meaning future retirees will be treated the same as current retirees.

The system is aiming to get its funded status to 70% by 2018, and 90% by 2032. The first goal will allow some money to go toward health care, and the second will protect the system in the event of a financial downturn, according to SERS.

The Ohio Association of Public School Employees expressed disappointment with the move.

"We have been very clear about our position on these COLA cuts and freezes," OAPSE Executive Director Joe Rugola said. "Hundreds of our members rallied at SERS this summer. We called. We sent postcards. We attended board of trustee meetings, and we had numerous conversations with the trustees. Unfortunately, the SERS board of trustees ignored our members' voices."

Mr. Rugola said members have an average pension of less than \$1,200 per month and many don't receive Social Security. He said the union intends to file a lawsuit in an attempt to stop the move.

"We want our members and retirees and SERS officials to know that this vote is just a first step in our long-term fight to protect the pension benefits of our active and retired members," he said.

The Ohio Retirement Study Council recommended changes to the COLA in April, backing legislation (HB 242) that was later added to the budget. (See Gongwer Ohio Report, April 13, 2017)

ORSC's staff recommendation said the cuts were necessary to help the pension fund improve its health care fund, which is only funded for seven years.

SERS is not alone in suspending cost-of-living adjustments. The State Teachers Retirement System's board voted in April to suspend its COLA. (See Gongwer Ohio Report, April 20, 2017)

The Ohio Public Employees Retirement System is also considering changes to its COLA. (See Gongwer Ohio Report, August 21, 2017)

Court Clarifies Allowable Evidence Gained Through Warrants

Prosecutors can use evidence obtained through a search warrant even if officers violate Ohio's knock and announce law, the Ohio Supreme Court decided Tuesday.

In a 6-1 ruling, the court found that the exclusionary rule is not the correct remedy for such a violation.

The case stems from a 2012 situation in which an informant participated in a controlled buy of heroin from Harsimran Singh, near the apartment where he lived with girlfriend Sherri A. Bemby.

Following the buy, Boardman police officers approached Ms. Bemby's apartment, first announcing themselves and then entering after time went by.

Mr. Singh argued that the entry into the apartment was faster than police said, and suggested he was unsure whether it was police who were at the door. Law enforcement acknowledged that it never stated its purpose was to execute a search warrant.

The search resulted in the collection of drugs, drug trafficking instruments and a stolen weapon, resulting in a variety of charges. Ms. Bemby and Mr. Singh sought to suppress the evidence, arguing that the search did not comply with the terms of the Fourth Amendment.

Writing for the majority, Justice Bill O'Neill said there are multiple levels of protection against unreasonable searches.

"The knock-and- announce principle applies only when police execute a valid warrant," Justice O'Neill wrote. "To acquire a valid warrant, police must first convince a neutral magistrate that there is probable cause to believe that a crime has been committed, sufficient to justify pulling aside the veil of privacy from the contents of a home."

"It makes fundamental sense that we would not restore privacy to the contents of a home to remedy the violation of a rule that applies only after the interest in privacy in the home has been overridden," he continued. "To do so would be to make an end run around the authority of the magistrate that issued the warrant. There is a basic conceptual disconnect between the interests protected by the knock-and- announce principle and those vindicated by the suppression remedy."

The court added that case law doesn't assist the arguments made by Ms. Bembry and Mr. Singh.

"We are never bound by prior decisions of inferior courts," Justice O'Neill added. "But these decisions fail even as persuasive authority for the argument advanced by Bembry and Singh. Each of the decisions offered by Bembry and Singh expressly rely upon the Fourth Amendment as the constitutional authority for suppressing evidence or affirming an order suppressing evidence."

Justice Judith French dissented, and said she would have dismissed the case has being improvidently granted.

The decision affirms the ruling of the Seventh District Court of Appeals, which overturned a trial court ruling.

Casino, Racino Revenue Little Changed In September

Ohio's four casinos and seven racinos had revenue totals in September that were little changed from the month before, according to revenue reports released Tuesday.

The casinos brought in a total of \$67.1 million in the month, up from \$66.7 million in August, according to reports from the Casino Control Commission. The casinos' take was \$63.9 million in September of 2016.

At the racinos, revenue from video lottery terminals was \$79.3 million, up less than \$300,000 compared to the previous month, the Ohio Lottery Commission reported. They listed \$73.1 million in revenue the previous September.

Hollywood Columbus led the way among the casinos, earning \$18.3 million in September, up slightly from \$18.2 million in August. The casino had revenue of \$16.8 million in September 2016.

Hollywood Toledo took in \$16.3 million for the month, little changed from the \$16.2 million the month before but up significantly from \$14.7 the year before. The casino continues to be the most reliant on slot machines, earning \$13.4 million from them compared to only \$2.9 million for table games.

JACK Cleveland saw its revenue change little in September, falling to \$16.77 million from \$16.84 million in August. The casino brought in \$17.1 million the previous September. JACK Cleveland has the most balance between its slot machine and table game earnings, with \$8.8 million coming from slots and \$8 million from the tables.

JACK Cincinnati reported earning \$15.7 million in September, up from \$15.4 million in August and \$15.3 million in September 2016.

Racinos: Four of the racinos saw their revenue rise month-to-month, while three saw declines.

Miami Valley Gaming saw the biggest gain, rising by almost \$664,000 to \$12.3 million for the month. Hollywood Mahoning Valley Race course saw its revenue increase by \$312,000 to \$9.3 million, while Hollywood Gaming's Dayton Raceway took in \$273,000 more than the month before, at \$8.3 million.

Belterra Park posted a modest gain of \$162,000, to a hair under \$7 million.

Hard Rock Rocksino - Northfield Park posted the biggest month-to-month decline, with its total of \$19.5 million - the highest in the state - coming in \$794,000 below the August number.

JACK Thistledown saw a decline of \$280,000 to \$9.3 million, while Scioto Downs saw its total fall almost \$60,000 to \$13.5 million.

Politics Notebook: Brown Camp: \$8.3 million Banked For Reelection Bid; Groups Analyze Tax Policy, School Funding; Corporate Funds Decried in Issue 2 Campaign

U.S. Sen. Sherrod Brown took in more than \$2.6 million during the third quarter and will report \$8.3 million in cash on hand for his next filing, the Cleveland Democrat's campaign reported Tuesday.

Friends of Sherrod Brown said it was the second straight quarter of record fundraising for an off election year, and the incumbent now has double what he totaled at this point in the 2012 election cycle.

"While billionaire-backed special interests pour money into our state in an attempt to buy this Senate seat, Ohioans are rallying to Sherrod's campaign," campaign Manager Justin Barasky said in a release. "The overwhelming support is a testament to Sherrod's record of delivering for Ohio, and the importance of reelecting him in 2018. Ohioans know Sherrod is on their side, fighting against the out-of-state special interests who profit from the dysfunction they helped create."

Depending on the outcome of a GOP primary that's expected to be contested, Sen. Brown could face a repeat challenge from State Treasurer Josh Mandel or businessman Mike Gibbons.

Tax Analysis: Pushing back on the narrative that tax cuts don't equate to economic growth, the Buckeye Institute for Public Policy Solutions on Tuesday released an analysis that found tax and spending policies under Gov. John Kasich and the GOP-led legislature have resulted in added jobs and increased personal income for Ohio citizens.

Employing a "macroeconomic dynamic scoring model" developed by economists at Buckeye's Economic Research Center, the analysis found that the policies: made Ohio families wealthier; created nearly 7,000 more jobs; raised personal income by \$500 million; and saw Ohio's employment rates and economy outperform most of its regional competitors.

"Contrary to the arguments levied by opponents of tax reform, this analysis shows that the tax reforms implemented by Governor Kasich and the General Assembly have led to economic growth in Ohio," Rea S. Hederman Jr., the Institute's executive vice president, said in a statement.

"As they continue to study Ohio's tax policies, this analysis can serve as a guide to the 2020 Tax Commission, showing that instead of the failed policy of attempting to tax and spend Ohio to prosperity, further tax reform would keep the state on the path to greater economic growth."

Mr. Hederman added that "greater spending restraint and further tax reductions is the smart path for Ohio policymakers to take as they continue to reform the state's tax and spending policies."

K-12 Spending Panned: Policy Matters Ohio, a research group at the other end of the political spectrum, opined in a report released Tuesday that the primary and secondary budget passed last spring by state lawmakers "shortchanges Ohio students."

The group issued three analyses, finding that: K-12 funding fell slightly when adjusted for inflation; funding for the Ohio College Opportunity Grant "falls about \$150 million short a year,"; and the State Share of Instruction for higher education institutions went up by less than half of what colleges and universities requested.

"Ohio policymakers say they want the state to be competitive and business friendly, but we can't be if we don't have a skilled and educated workforce," Policy Matters State Policy Fellow Victoria Jackson

said. "When we starve K-12 and higher education, we're not only robbing students of important formative experiences, we're hurting the Ohio economy."

"In the 2018-2019 budget, lawmakers had the opportunity to set Ohio's public education system on a better path, instead they doubled down on policies we know don't work," Ms. Jackson added, saying that charter schools are siphoning off \$2 billion from traditional K-12 venues. "They are funneling taxpayer money into failing institutions and draining resources from public education to cut taxes for the wealthy and give big breaks to corporations. There are better uses of our resources, like investing in Ohio's future through our students."

Issue 2: The group Ohio Move to Amend is pointing to Issue 2 as Exhibit A in why "why we need to get corporate personhood rights out of the constitution and money out of politics."

The group is lamenting the fact that the battles over the issue, projected to be one of the most expensive in state history, feature financing from pharmaceutical entities that are able to hide behind an LLC.

A spokesman for the group opposing the issue suggested Move to Amend should look at proponents' ads as well.

Move to Amend, however, focused on the Big Pharma participation.

"The 'No on Issue 2' Campaign website features a long list of organizations lined up against the measure including physicians, healthcare professionals, chambers of commerce, manufacturers' associations and even the Ohio Air National Guard. However, the real story behind this campaign can be found in the July 2017 campaign finance report filed with the State showing that substantially all the funding for the "No on Issue 2" campaign has come from one source, the Pharmaceutical Research and Manufacturers of America," Move to Amend stated in a release.

"Money should not be considered free speech. Issue 2 provides a clear and compelling example of why we need to get corporate personhood rights out of the constitution and money out of politics."

Dale Butland, spokesman for the opponents, said in response, "While the No on Issue 2 campaign has no position on Move to Amend or its agenda, it's odd that the organization would focus its attention only on the money our campaign has spent, while completely ignoring the millions of dollars that the Yes side has spent, all of which has come from an out-of-state foundation that makes 80% of its money from selling, you guessed it, prescription drugs."

"As for which campaign is pushing claims that 'have no resemblance to facts,' Move to Amend may want to review the Yes side's latest TV ad which promises voters a '\$400 million tax cut' - which was recently exposed as totally false by the *Cleveland Plain Dealer*, he added. "Or maybe they should talk to such respected Ohio institutions as the Cleveland Clinic and the Cleveland City Club about the 'cease and desist' letters both organizations were forced to send last week after their positions on Issue 2 were willfully misrepresented in Yes side campaign materials."

"After all, I'm sure no organization billing itself as 'non-partisan' would want to leave the impression that it is only concerned with the amount of money being spent, and not with the lies and deceptions that money is paying for," Mr. Butland said.

Capitol Scene: JLEC Notes Late Lobbyist Filings; Campbell Named President At SPP

A few dozen lobbyists and their employers have received notices of late activity/expenditure reports from the Joint Legislative Ethics Committee, the panel reported Tuesday.

The lists include lobbyists and clients who did not file required reports by the Oct. 2 deadline.

Legislative Inspector General Tony Bledsoe said lobbyists and employers were sent a postcard reminder 30 days before the filing deadline, and are also sent multiple emails, including a failure to file email after the deadline.

The next step is notice via certified mail, he said. Failure to file upon notice can result in a late fee of \$12.50 per day for each report owed. The maximum late fee per report is \$100. Continued failure to file is a 4th degree misdemeanor."

Strategic Public Partners: The firm announced Tuesday that John Campbell has been promoted from executive vice president, a post he has held for the last five years, to president.

In this new role, Mr. Campbell will direct the company's financial goals, objectives and budgets, and will also manage staff, including organizational structure, professional development, personnel policies and procedures.

Mr. Campbell's resume includes service on the executive leadership teams of the 2012 "No on Issue 2," 2010 Portman for U.S. Senate and the 2009 "Yes on Issue 3" campaigns. He also served as central Ohio district director for U.S. Sen. Rob Portman, executive director of the Franklin County Republican Party and coordinator of public policy and political events for former Ohio Governor Bob Taft.

Company co-owner Darrin Klinger said Mr. Campbell "has grown into this role and is well-suited to assume the responsibilities that come with it."

Firm co-owner Brandon Lynaugh added, "John's knowledge and experience in local, state and federal politics and grassroots efforts have been invaluable for our clients, and we're excited that he is taking on this new leadership position with the firm."

Governor's Appointments

Central Ohio Technical College Board of Trustees: Robert A. Montagnese of Pataskala for a term beginning October 10, 2017, and ending September 30, 2020.

Ohio Commission on Fatherhood: William A. Dodson, Jr. of Columbus for a term beginning October 10, 2017, and ending July 30, 2019.

Medical Quality Foundation Board: Edward J. Levine of Gahanna for a term beginning October 10, 2017, and ending July 20, 2020.

Oil and Gas Leasing Commission: Michael W. Wise of Chagrin Falls for a term beginning October 10, 2017, and ending September 29, 2018.

Attorney General's Opinion

No. 2017-034. Requested by Clermont County Prosecuting Attorney D. Vincent Faris. SYLLABUS:

A person may not serve simultaneously as Clermont County Auditor and member or Treasurer of the Board of Trustees of the Clermont County Convention and Visitors Bureau.

Supplemental Agency Calendar

Thursday, October 12

Educator Standards Board, Quest Business Center, 8405 Pulsar Pl., Columbus, 5 p.m. (Committee meetings)

Friday, October 13

Educator Standards Board, Quest Business Center, 8405 Pulsar Pl., Columbus, 9 a.m.

Supplemental Event Planner

Tuesday, October 24

Sen. Sean O'Brien (D-Bazetta) fundraiser, Condado Tacos Downtown, 132 S. High St., Columbus, 5 p.m., (Platinum \$5,000; Gold \$2,500; Silver \$1,000 to O'Brien for Ohio)


Wednesday, November 15

Rep. Janine Boyd (D-Cleveland Hts.) and Rep. Stephanie Howse (D-Cleveland) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Janine Boyd and Friends of Stephanie Howse)

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Senate Activity for Tuesday, October 10, 2017

INTRODUCED

SB 216 ■ **SCHOOL REGULATIONS (Huffman, M.)** To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs. Am. 3301.078, 3301.079, 3301.0711, 3301.0714, 3301.0715, 3301.163, 3301.52, 3302.03, 3302.13, 3310.03, 3311.80, 3313.413, 3313.608, 3314.35, 3319.075, 3319.081, 3319.088, 3319.111, 3319.112, 3319.22, 3321.191, 3323.022, 3333.0411, 3365.03, and 3365.07; to enact new section 3319.226 and sections 3301.68, 3319.361, 3324.12, and 3365.072; and to repeal sections 3319.114 and 3319.226

Gongwer Coverage

COMMITTEE HEARINGS

Insurance & Financial Institutions

SB 169 ■ **TRAVEL INSURANCE (Wilson, S.)** To oversee the sale of travel insurance. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

HB 52 ■ **DEED SOLICITATION (Rezabek, J.)** To regulate the solicitation of certain deeds. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

HB 199 ■ **MORTGAGE LENDING (Blessing, L.)** To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

17 S. High St., Suite 630
Columbus Ohio 43215

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Daily Activity Planner for Wednesday, October 11

Legislative Committees

House Health (Committee Record) (Chr. **Huffman, S.**, 466-8114), Rm. 121, 9 a.m.

HB 172 **MEDICAL RECORDS** (**Schuring, K.**) To modify the laws governing access to a patient's medical records. (1st Hearing-Sponsor)

HB 332 **ANATOMICAL GIFTS** (**Antani, N.**) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

HB 273 **ADMITTING PRIVILEGES** (**Gavarone, T.**) To prohibit a physician from being required to secure a maintenance of certification as a condition of obtaining licensure, reimbursement, or employment or obtaining admitting privileges or surgical privileges at a hospital or health care facility. (2nd Hearing-Proponent & interested party)

HB 214 **ABORTION** (**LaTourette, S.**, **Merrin, D.**) To prohibit a person from performing, inducing, or attempting to perform or induce an abortion on a pregnant woman who is seeking the abortion because an unborn child has or may have Down Syndrome. (3rd Hearing-Opponent & interested party)

Senate Ways & Means (Committee Record) (Chr. **Eklund, J.**, 644-7718), South Hearing Rm., 9 a.m.

HB 118 **PROPERTY TAX COMPLAINTS** (**Merrin, D.**) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (3rd Hearing-All testimony-Possible vote)

SB 186 **BUSINESS INCOME** (**Peterson, B.**) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (4th Hearing-All testimony)

HB 69 **TIF DISTRICTS** (**Cupp, R.**) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (5th Hearing-All testimony-Possible amendments & vote)

House Government Accountability & Oversight (Committee Record) (Chr. **Blessing, L.**, 466-9091), Rm. 114, 9:30 a.m.

HB 341 **PUBLIC RECORDS** (**Huffman, S.**, **Cera, J.**) To include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet. (1st Hearing-Sponsor)

HB 312

POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.) Regarding use of credit cards and debit cards by political subdivisions. (2nd Hearing-Proponent-Possible substitute)

HB 342 **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor)

HCR 10 **ANTI-SEMITISM** (Thompson, A., Greenspan, D.) To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. (2nd Hearing-Proponent)

House State & Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 122, 9:30 a.m.

HB 279 **JOHN GLENN HOME** (Hill, B., Rosenberger, C.) To require the Ohio History Connection to designate John Glenn's childhood home as a state historic site. (2nd Hearing-Proponent)

HB 300 **IDENTIFICATION CARDS** (Barnes, J.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently disabled must be issued without an expiration date. (2nd Hearing-Proponent)

HB 307 **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)

HB 315 **DAY DESIGNATION** (Arndt, S.) To designate October 6 as "S.M.A.R.T. Parent Day." (2nd Hearing-Proponent)

HB 319 **STATE PET** (Lanese, L.) To designate a shelter pet as Ohio's official pet. (2nd Hearing-Proponent)

SB 86 **DAY DESIGNATION** (Hackett, B.) To designate the twenty-fifth day of May as "Ohio National Missing Children's Day." (2nd Hearing-Proponent)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointments of Dennis Brommer and Catherine Cunningham, Ohio Elections Commission; Miriam Diabate, New African Immigrants Commission and Christopher Potts, Ohio Retirement Study Council

HB 31 **GOVERNMENT CONTRACTING** (Cupp, R.) To abolish the Government Contracting Advisory Council. (5th Hearing-All testimony-Possible amendments & vote)

SB 21 **ELECTION PROCEDURES** (Uecker, J.) To reduce the minimum number of precinct election officials in a precinct in which electronic pollbooks are used and to eliminate the requirement that a board of elections send a notice to a person's residence address when the board cancels the person's voter registration because it received a report of the person's death. (3rd Hearing-All testimony)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 116, 10 a.m.

HB 269 **WORKERS COMPENSATION** (Henne, M.) To rename the entities who carry out workers' compensation functions in this state, to require the Administrator of Worker Safety and Rehabilitation to develop incentives for employers to participate in safety consultations and loss prevention programs, to require an employee who is receiving temporary total disability compensation to comply with a return to work plan, and to make changes with respect to compensation for permanent total disability and death benefits. (2nd Hearing-Proponent)

HB 268 **WORKERS COMPENSATION** (Henne, M.) To make changes to the Workers' Compensation Law with respect to self-insuring employers. (2nd Hearing-Possible substitute)

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), South Hearing Rm., 10:15 a.m.

- Confirmation hearing on governor's appointments of Todd Audet, P.E. and David Regula, Transportation Review Advisory Council; Diane Carnes, Ohio Real Estate Commission; George Dixon, III, Ohio Turnpike and Infrastructure Commission; Todd Poole, State Fire Council and Robert Larrimer, Ohio Architects Board

HB 10 **CROWDFUNDING** (Arndt, S.) To permit intrastate equity crowdfunding under certain circumstances. (2nd Hearing-Proponent)

HB 195 **WHEELCHAIR TRANSPORTS** (Ingram, C., Seitz, B.) To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (2nd Hearing-Proponent)

SB 185 **ROAD NAMING** (Terhar, L.) To designate a portion of Interstate Route 75 in Hamilton County as the "Lance Corporal Christopher J. Dyer USMC, Lima Co, 3/25 Marines Memorial Highway." (1st Hearing-Sponsor)

SB 173 **ROAD NAMING** (Hottinger, J.) To designate a portion of U.S. Route 40 in the Village of Kirkersville as the "The Steven Eric Disario Memorial Highway." (1st Hearing-Sponsor)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

HB 66 **TENURED FACULTY** (Young, R.) To require permanently tenured state university or college faculty members to teach at least three credit hours of undergraduate courses per semester. (3rd Hearing-Opponent)

HB 240 **MONTH DESIGNATION** (Barnes, J.) To enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency. (2nd Hearing-Proponent)

HB 166 **WORKFORCE DEVELOPMENT** (Reineke, B., Cupp, R.) To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week. (6th Hearing-All testimony-Possible vote)

SB 3 **WORKFORCE DEVELOPMENT** (Beagle, B., Balderson, T.) To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week. (5th Hearing-All testimony-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Civil Justice (Committee Record) (Chr. **Butler, J.**, 644-6008), Rm. 121, 2:30 p.m. or after session

HB 174 **FRANKLIN COUNTY COURT** (**Hughes, J.**, **Lanese, L.**) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (3rd Hearing-All testimony-Possible amendments)

Senate Energy & Natural Resources (Committee Record) (Chr. **Balderson, T.**, 466-8076), Finance Hearing Rm., 2:30 p.m. or after session

SCR 14 **OIL MARKETS** (**Hoagland, F.**) To urge the Congress of the United States and the President of the United States to take certain actions to counter manipulation of the oil market by the Organization of Petroleum Exporting Countries (OPEC). (2nd Hearing-All testimony)

SB 188 **WIND TURBINE SETBACKS** (**Hite, C.**) To revise wind turbine setback provisions for economically significant wind farms. (2nd Hearing-Proponent)

House Community & Family Advancement (Committee Record) (Chr. **Ginter, T.**, 466-8022), Rm. 114, 3 p.m.

HB 340 **PUBLIC ASSISTANCE** (**Young, R.**) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

SB 70 **CHILD SUPPORT** (**Coley, B.**) To amend the child support laws. (1st Hearing-Sponsor)

HB 119 **SNAP** (**Henne, M.**, **McColley, R.**) Regarding eligibility and benefits under the Supplemental Nutrition Assistance program and the Medicaid program. (4th Hearing-All testimony-Possible substitute)

Senate Education (Committee Record) (Chr. **Lehner, P.**, 466-4538), South Hearing Rm., 3:15 p.m.

SB 197 **BULLYING** (**Williams, S.**) To require a tiered disciplinary procedure for harassment, intimidation, or bullying in school; to require annual student instruction about preventing such acts; and to create the offense of aggravated bullying as a third-degree misdemeanor. (1st Hearing-Sponsor)

HB 170 **COMPUTER SCIENCE** (**Carfagna, R.**, **Duffey, M.**) With regard to academic content standards and curriculum requirements for computer science; to revise educator qualifications regarding computer science; and to authorize public schools to establish computer science and technology funds. (3rd Hearing-All testimony)

House Armed Services, Veterans Affairs & Homeland Security (Committee Record) (Chr. **Johnson, T.**, 466-2124), Rm. 116, 4 p.m. or after session

HB 254 **POW/MIA FLAG** (**Wiggam, S.**) To enact the POW/MIA Remembrance Act requiring the POW/MIA flag to be displayed at certain buildings operated by the state on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans' Day. (2nd Hearing-Proponent-Possible amendments)

SCR 8 **MISSILE DEFENSE** (**O'Brien, S.**, **Eklund, J.**) A resolution to urge the United States Missile Defense Agency to select Camp Ravenna Joint Military Training Center in Ravenna, Ohio, as the preferred site for a future east coast Missile Defense system. (2nd Hearing-Proponent)

Agency Calendar

Veterinary Medical Licensing Board, 77 S. High St., Room 1914, Columbus, 8:30 a.m.

Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

~~Canceled: **Southern Ohio Agricultural & Community Development Foundation**, Ohio State University's South Centers, 1864 Shyville Road, Piketon, 9 a.m. (Economic Development Regional Review Committee)~~

State Medical Board, 3rd Fl., 30 E. Broad St., Columbus, 9:45 a.m. (Committee meetings start at 7:30 a.m.)

Infant Mortality Commission, 77 S. High St., 31st Floor Conference Room East B, Columbus, 10 a.m.

State Personnel Board of Review, 12th Fl., 65 E. State St., Columbus, 10 a.m.

Credit Union Council, 77 South High Street, 21st Floor, Columbus, 10:30 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 3 p.m.

Event Planner

Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)

Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)

Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)

Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)

Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dille, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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House Activity for Tuesday, October 10, 2017


INTRODUCED


- HB 373** ■ **CONCEALED WEAPONS** (Vitale, N.) To permit any person who holds a valid concealed handgun license to carry a concealed handgun in a courthouse, a courtroom, or a government facility of this state or in a government facility of a political subdivision of this state if the political subdivision has not enacted an ordinance or policy that prohibits a licensee from carrying a concealed handgun into the building or the court has not enacted a rule that prohibits a licensee from carrying a deadly weapon or dangerous ordnance into the courthouse or courtroom. Am. 105.41, 123.011, 2923.122, 2923.123, and 2923.126
-
- HB 374** ■ **CHILD ENTICEMENT** (Duffey, M., Cupp, R.) To create additional criminal prohibitions within the offense of criminal child enticement and to classify criminal child enticement as a tier I sex offense when committed by a registered sex offender. Am. 2905.05 and 2950.01
-
- HB 375** ■ **ROAD NAMING** (Bocchieri, J., Lepore-Hagan, M.) To designate a portion of I-680 in Youngstown as the "Frank Watson Memorial Highway." En. 5534.97
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- HB 376** ■ **ROAD NAMING** (Bocchieri, J., Lepore-Hagan, M.) To designate a portion of United States Route 422 in Youngstown as the "Harry Meshel Memorial Highway." En. 5534.57
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- HB 377** ■ **SEXUAL ABUSE** (Hagan, C., Ramos, D.) With respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention. Am. 3313.60 and 3319.073 and to enact sections 3314.0310 and 3326.091
-
- HB 378** ■ **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. Am. 184.10 and to enact sections 122.97, 122.971, 122.972, 122.973, 122.974, 122.975, 122.976, 122.977, and 122.978
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- HB 379** ■ **LICENSE PLATE** (Patton, T.) To create the "Line of Duty Sacrifice" license plate. En. 4503.435
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CALENDAR FOR COMING SESSION


- SB 27** ■ **MONTH DESIGNATION** (Beagle, B.) To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month."
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- HB 24** ■ **VETERAN ORGANIZATIONS** (Ginter, T.) To modify the existing tax exemption for veterans organizations' property to include property of certain veterans organizations exempt from federal taxation under section 501C(4) of the Internal Revenue Code and to exclude property that is not


used primarily for meetings, administration, and the provision of programs and services to past and present members of the United States armed forces.

HB 76  **LICENSE PLATES** (Arndt, S., Gavarone, T.) To create the "Ohio National Guard Ohio Cross" license plate and the "Ottawa National Wildlife Refuge" license plate.

HB 79  **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.


HB 184  **DENTISTRY** (Gavarone, T., DeVitis, T.) To authorize the provision of dental services through teledentistry, to require a proposal for creation of a primary care dental student component of the Choose Ohio First Scholarship Program, and to make other changes to the laws governing the practices of dentistry and dental hygiene.

HB 226  **FIREWORKS** (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks.

HB 311  **ROAD NAMING** (Johnson, T.) To designate a portion of State Route 348 in Scioto County as the "Roy Rogers Happy Trails Highway."

REFERRED


Aging & Long Term Care:

HB 362  **HPRS RETIREMENT** (Carfagna, R., Ramos, D.) To revise the law governing the State Highway Patrol Retirement System.

Community & Family Advancement:


HB 366  **CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support.


Criminal Justice:


HB 348  **DRUG TRAFFICKING** (Ginter, T.) To provide that the penalty for trafficking in, possession of, or funding of trafficking in fentanyl or carfentanil is the same as the penalty for those crimes involving heroin, to increase to a third degree felony the trafficking in or possession of at least one gram but less than five grams of any of those drugs, to provide that deception to obtain a dangerous drug involving fentanyl or carfentanil is a third degree felony, and to provide a per se prohibited concentration of fentanyl and carfentanil regarding operating a vessel or motor vehicle that is the same as the per se prohibited concentration for heroin.

HB 349 


POLICE ANIMALS (LaTourette, S.) To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal.

HB 354  **COURT JURISDICTION** (Reineke, B.) To provide the Tiffin-Fostoria municipal court with concurrent jurisdiction with the Seneca County court of common pleas in operating a drug addiction recovery program.


HB 355  **SEXTING** (Hill, B., Rezabek, J.) To generally prohibit sexting by a person under 21 years of age.

HB 365  **PAROLE MONITORING** (Hughes, J., Boggs, K.) To provide for indefinite prison terms for first or second degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; to require the Department to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Act.


Education & Career Readiness:

HB 360  **BULLYING** (Greenspan, D.) To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges.


Energy & Natural Resources:


HB 356  **COMMERCIAL NETTING** (Young, R.) To amend the laws concerning commercial netting in Lake Erie.

Finance:


HB 369  **SCHOOL FUNDING** (Sweeney, M.) To prescribe a per pupil funding guarantee for certain school districts and to make an appropriation.

Financial Institutions, Housing & Urban Development:


SB 163  **COUNTY INVESTMENTS** (Wilson, S.) To modify the qualifications regarding notes eligible for investment of county inactive moneys.


HB 353 

UNCLAIMED FUNDS (Reineke, B.) To exempt certain open-loop prepaid cards, closed-loop prepaid cards, and rewards cards from the Unclaimed Funds Law.


HB 368  **LAND CONTRACTS (Lepore-Hagan, M.)** To make changes to the law relating to land installment contracts.

Government Accountability & Oversight:


HB 352  **DOGS LAW (Rezabek, J., Huffman, S.)** To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law.

HB 361  **TAX COMPLAINTS (Greenspan, D.)** To increase the time within which boards of revision must decide property tax complaints.


Higher Education & Workforce Development:


HB 363  **CAMPUS SPEECH (Goodman, W., Brenner, A.)** To enact the "Campus Free Speech Act" with respect to the freedom of speech and assembly at state institutions of higher education and the charging and allocation of student activity fees.


Insurance:


HB 367  **DENTAL INSURANCE (DeVitis, T.)** To prohibit a health insurer from establishing a fee schedule for dental providers for services that are not covered by any contract or participating provider agreement between the health insurer and the dental provider.


State & Local Government:

SB 71  **AGENCY CONTRACTS (Manning, G.)** To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval.

SB 144  **DISABILITIES COUNCIL (Burke, D.)** To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities and to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council.

HB 359  **STATE FLAG (Stein, D.)** To create a suggested ceremonial procedure for retiring an Ohio state flag.

HB 364  **VOTER REGISTRATION (Clyde, K.)** To designate the fourth Tuesday of September as "Ohio Voter Registration Day."

HB 370  **STATE SEAL (Perales, R.)** To add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms and Great Seal of the State of Ohio.

Transportation & Public Safety:

HB 346 

ROAD NAMING (West, T.) To designate a portion of State Route 172 in Stark County as the "Football Heritage Corridor."

HB 347 **ROAD NAMING (Kelly, B., Dever, J.)** To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway."

HB 350 **ROAD NAMING (Craig, H.)** To designate a portion of State Route 317 in Franklin County as the "Patrolman Dane L. Rowe Memorial Highway."

HB 357 **LICENSE PLATE (Miller, A., Boggs, K.)** To create the "Grandview Heights Schools" license plate.

HB 358 **ROAD NAMING (Arndt, S.)** To designate a portion of State Route 19 in Ottawa County as the "Sgt. Jordan Marshall Memorial Highway."

HB 372 **ROAD NAMING (Romanchuk, M.)** To designate a portion of Interstate Route 71 in Richland County as the "Richland County Veterans Memorial Highway."

Ways & Means:

HB 351 **MILITARY TAX EXEMPTION (Perales, R., Butler, J.)** To require municipal corporations to exempt from taxation the military pay of members of the commissioned corps of the National Oceanic and Atmospheric Administration and Public Health Service.

HB 371 **PROPERTY TAX (Merrin, D.)** To exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold.

HOUSE SPEAKER'S APPOINTMENTS

Ohio Advisory Council for the Aging: Appoint Reps. LaTourette and West

COMMITTEE HEARINGS

Financial Institutions, Housing & Urban Development

HB 251 **SUBDIVISION INVESTMENTS (Greenspan, D.)** To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys. (REPORTED; 4th Hearing-All testimony-Possible vote)

Brad Cole, managing director of research for the County Commissioners Association of Ohio, testified that changes proposed in the bill allowing counties to invest in state and local bonds with greater maturity could increase investment returns to county general funds.

"Better investment returns will relieve some of the fiscal pressure on counties due to instability in other major revenue sources to the general fund," Mr. Cole said.

Union County Commissioner Gary Lee submitted written testimony in support of the bill.

"Permissive authority to invest in secure bonds of state and local governments to realize greater investment returns is a common sense method for increasing investment income at a time of increased fiscal pressure on other county revenue sources," Mr. Lee said in testimony.

Tom Whiston, Chairman of the Morrow County Commissioners and Secretary of the County Commissioners Association of Ohio submitted written testimony in support of the bill.

HB 282 **CRIMINAL MISCHIEF (Hambley, S.)** To expressly prohibit criminal mischief relating to residential rental property and to prohibit a metropolitan housing authority from renting or providing housing assistance to a person who has recently been convicted of criminal mischief relating to residential rental property. (**CONTINUED**; 2nd Hearing-Proponent)

Dan Acton, government affairs director of the Ohio Real Estate Investors Association, said the opportunity to subject tenants to a criminal mischief charge for knowingly damaging property is a "welcome tool in the property ownership toolbox."

Mr. Acton explained that typical terms and conditions in lease agreements allow for "normal wear and tear" and that the national average cost of turning over a property is equal to three month of rent, not including the rent lost during the vacancy.

In cases where rented property is intentionally damaged beyond typical "wear and tear," seeking civil damages in the courts is the only legal option for property owners, which can be very expensive and does not guarantee financial relief, he said.

"The knowingly standard is the key to this bill," Mr. Acton said. "A tenant must have knowingly engaged in this behavior for the application of the law to occur."

Rep. Kent Smith (D-Euclid) agreed that the knowingly standard is key. The representative asked Mr. Acton to provide insight into how "knowingly" applies in matters where, for example, a dishwasher is damaged and it is unclear who is at fault.

Mr. Acton replied that a dishwasher and other non-working appliances are not the subject of the bill. Rather, the legislation applies to scenarios where doors have been ripped off their hinges, holes are found in walls, and the property has been spray painted, among others.

Rep. Catherine Ingram (D-Cincinnati) inquired about the terms of a conviction under the legislation, and how the prosecution would prove that the tenant was the culprit and not another occupant or visitor.

Mr. Acton said that tenants would be protected by the standard burden of proof "beyond a reasonable doubt."

Rep. David Leland (D-Columbus) asked what limitations are included to keep more "frivolous" transactions from occurring, referring to Rep. Smith's dishwasher example. In addition, the representative inquired about the goal of using criminal action to seek relief.

Mr. Action explained that as a civil matter, a property owner rarely collects from a settlement, even if a judgement is reached. As a criminal matter, property owners are more likely to receive restitution if the convicted tenant is under supervision, he said.

In response to Rep. Leland's inquiry about using credit checks as indicators, Mr. Acton said he uses credit history as a tool, but does not use it as an overall indication of the quality of a potential tenant.

Rep. Smith asked what the annual scope of intentional property damage is, and approximately how many tenants could be charged annually.

Mr. Acton said that he hopes to never have to use the law to bring charges against a tenant, and that including the language in lease and rental agreements will serve as a deterrent.

Rep. Ron Young (R-Leroy) asked if Mr. Acton expects the legislation will require more careful record keeping by property owners to be used in court. Mr. Acton replied that he does, because the burden of proof would be on the landlords. However, most landlords already have procedures in place to track the condition of their property, he added.

In response to Rep. Ingram's question, Mr. Acton said some landlords have seen intentional damage occur within a few weeks of the tenant's occupancy while some occurs after eviction.

Rep. Jonathan Dever (R-Cincinnati) said that the spirit of the bill works to provide avenues for redress for major damages where few currently exist.

Charles Tassell of the Greater Cincinnati Northern Kentucky Apartment Association also backed the bill.

Mr. Tassell said he is not aware of any successful criminal damaging cases for property owners in this situation. He explained that is difficult to get a prosecutor's attention for these types of issues.

"The impact will be to increase the deterrent, and thereby decrease the damage to property and the risk of investing in and fixing up rental properties," he said.

Mr. Tassell told Rep. Smith he would provide information about other states with similar legislation with the related impacts. In response to the representative's inquiry about the scope of the issue, Mr. Tassell replied that it is difficult to give a number because so few prosecutors take such cases. Yet, the impact is felt by the landlords who choose to save the expense of attorney fees and court filings and invest into repairing the property instead, he said.

Rep. Andy Brenner (R-Powell) asked Mr. Tassell if he thought a person who damaged or stole air conditioning units from a retail store should be prosecuted for doing so. Mr. Tassell said that he did.

Rep. Leland said that some of the language in the bill is vague and inquired about the condition that, if convicted, a former tenant would be disqualified from receiving assistance from a metropolitan housing authority. He asked if by including this condition the legislature would be creating a problem in the long run over relatively minor circumstances.

Mr. Tassell said that in his experience, there are only a few times a property owner will need to use this bill, but when such instances occur the relief is necessary.

Rep. Ingram asked if the accused will be considered "not guilty" until proven otherwise or "guilty" until proven otherwise. Mr. Tassell replied that the burden on the property owner to gain a conviction is large. He said that in his experience, at times culprits have "gloatingly" confessed to the damages.

Andrew Cali, an Ohio landlord, shared his experiences with negligent tenants and the intentional damage they caused. Mr. Cali said that more than anything, landlords need a deterrent for negligent behavior by tenants.

Rep. Ingram asked if the bill will require landlords to explicitly state the potential for criminal charges. Mr. Cali replied that as a landlord he would print the terms in bold letters.

HB 329

PYRAMID SCHEMES (Pelanda, D.) To modify the law governing pyramid promotional schemes. (CONTINUED; 2nd Hearing-Proponent)

Brian Bennett gave proponent testimony on behalf of the Direct Selling Association. Mr. Bennett said that the current law does not clearly differentiate between legitimate direct selling companies and pyramid schemes.

"The lack of a clear pyramid scheme law in statute may create confusion among the public, particularly when considering that some pyramid schemes masquerade as legitimate direct selling companies to defraud consumers. Specific language will strengthen state law enforcement's authority to prosecute bad actors," he said.

Michelle Roe, vice president and general counsel of the Columbus-based Thirty-One Gifts LLC, testified in support of the additional protections the bill would provide to consumers by clearly defining what constitutes a legitimate direct selling company.

The Council of State Governments and 10 states have adopted this legislation, Brian Harrison, manager of government affairs for Amway, said in testimony.

Rep. Catherine Ingram (D-Cincinnati) inquired about the notion of consumer protection and if the bill would create a barrier to entry for other companies. Mr. Harrison replied that the difference between legitimate and illegitimate direct sales companies is how the sellers receive compensation.

Subscribers Note: Full testimony is available on the committee [website](#) under Oct. 10.

Ways & Means

HB 177 **GYM MEMBERSHIPS (West, T., Young, R.)** To exempt memberships to gyms or other recreational facilities operated by charitable organizations from sales and use taxation. (CONTINUED; 2nd Hearing-Proponent)

Josh Little, chair of the Ohio Alliance of YMCAs, said the bill will return YMCAs and similar charitable organizations to being tax exempt in all aspects of their missions.

"A YMCA should not have to tax a member, such as a youth that comes after school to a safe place to participate in healthy activities - activities such as swimming, basketball, or playing chess in a teen room," he said. "Or a senior citizen who comes to the Y to participate in activities that help them stay healthy, active, and social."

He described the YMCA as a 501(c)(3) that in 2016 contributed over \$23 million in financial assistance, organized 29,000 volunteers who donated more than \$2.8 million worth of time.

Carol Folkerth, executive director of the Jewish Community Center of Greater Columbus, testified that community centers like hers would likewise benefit.

"Because Jewish Community Centers are not a fitness club, but a community center, we'd ask to be treated as such," she said. "The ability to lower our membership price would make our programs more accessible to even more people."

Submitting written proponent testimony were representatives of Jewish community centers in New Albany, Cincinnati, Cleveland and northwest Columbus.

HB 61 **SALES TAX (Johnson, G., Kelly, B.)** To exempt from sales tax the sale of tampons and other feminine hygiene products associated with menstruation. (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

HB 292 **OHIO RESIDENCY (Scherer, G.)** To modify the test for determining an individual's state of residence for income tax purposes. (**CONTINUED**; 2nd Hearing-Proponent)

Proponents pushed their case that the bill would "restore certainty" for taxpayers by addressing a lingering issue created by a 2015 Supreme Court ruling.

The court determined that even if an individual's circumstances falls under the "bright-line residency statute," common law domicile principles still apply and may rebut the statute's otherwise irrefutable presumption of non-Ohio residency, according to Kelvin Lawrence of the Ohio State Bar Association.

"House Bill 292 would restore certainty for these taxpayers," Mr. Lawrence said. "Restoring certainty for the bright-line statute will benefit taxpayers planning to retain connections with Ohio after leaving the state, as well as the Ohio tax commissioner who will have a more definitive framework to follow when determining residency for income tax purposes."

The aforementioned court ruling effectively turned the state's bright-line residency statute into a "fact-searching expedition," said Greg Saul, of the Ohio Society of CPAs.

Howie Beigelman, executive director of Ohio Jewish Communities, submitted written proponent testimony.

HB 334 **BUSINESS INCOME (Scherer, G.)** To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (**CONTINUED**; 2nd Hearing-Proponent)

Several businesses pressed the committee to support the bill, including a pair of witnesses from the National Association of Professional Employer Organizations.

They argued the Department of Taxation's current interpretation of tax law is inaccurate and penalizes businesses that utilize PEOs by depriving them of the small business deduction they were previously able to receive.

"Small business owners who use a PEO to ensure state and federal compliance, to offer competitive benefits to their employees and for other **HR services** should not be penalized by denial or lack of access to the business income deduction," said Melissa Kelly, the group's director of state government affairs. "We do not believe that was the intent of the legislature when the enabling legislation was passed."

Stephen Hall, also representing the NAPEO, said PEOs play a critical role in supporting small businesses by providing human resources.

Among other witnesses was Crystal Faulkner of the Ohio Society of CPAs, who argued that it's critical the bill remain retroactive in nature back to 2013. That, she said, would enable those businesses that paid under the DOT's current interpretation of the law to be reimbursed.

She and others took issue with a Legislative Service Commission fiscal analysis that estimates the retroactivity provision could cost "potentially up to \$10 million." She argued that most of these businesses have already taken the deduction, hence the ongoing audits they're facing.

"Therefore, the retroactive provision in the bill should be no cost or only a minimal one," she said.

Overall, the LSC analysis estimated losses of up to \$1.9 million a year from the General Revenue Fund and up to \$0.1 million a year from local government and public library funds.

Subscribers Note: For full testimony see the [committee's website](#) under Oct. 10.

Economic Development, Commerce & Labor

HB 303 **SERVICE ANIMALS** ([Lipps, S.](#), [Kelly, B.](#)) To prohibit places of public accommodation from preventing the use of a service animal. (**CONTINUED**; 1st Hearing-Sponsor)

[Rep. Brigid Kelly](#) (D-Cincinnati) and [Rep. Scott Lipps](#) (R-Franklin) presented sponsor testimony on the measure that they said would clarify Ohio law in regard to service animals while providing consistency with federal law and compliance with the Americans with Disabilities Act.

Rep. Kelly said the Ohio Revised Code currently contains "dated language" and is "ambiguous in a number of ways regarding service animals and public accommodation," adding that state laws have not been updated to reflect more recent changes to the ADA. The changes were proposed by the National Federation of the Blind - Ohio, which pointed out that a key update would clarify the difference between "assistance animals" and "service animals."

That difference, she said, "can mean the difference between participating in an activity or getting lunch with a friend, or having to go home."

"This bill will clarify definitions regarding the prohibition of public places of accommodation from preventing the use of a service animal by any person with a disability," Rep. Kelly said. "The removal of the service animal can in fact be requested if the animal is out of control and effective action is not taken to regain control or the animal is not housebroken. However, the place of public accommodation shall give the disabled individual the option to remain without their service animal."

The bill would also increase the penalty for falsely claiming an animal is a service animal in a place of public accommodation - or prohibiting use of a service animal by an individual with a disability to a second-degree misdemeanor from a fourth-degree misdemeanor, she said.

"As members of the legislature, we have an obligation and a responsibility to make life better for the people in our communities, and this is a practical measure to enhance the daily life for disabled citizens in this state."

Rep. Lipps said that along with the language clarification, the bill "strengthens the right of the disabled to use service animals in places of public accommodation."

"While working on this bill, we heard stories from a compliance officer responsible for service animals in OSU's dormitories," he said. "He related to us stories about students-on formal applications-claiming all sorts of animals as service animals...parrots, lizards, tarantulas and more. This illustrates the need to properly define a

service animal as an animal that actually provides a service such as leading the blind, alerting the deaf or protecting an epileptic."

The lawmaker said there are websites from which fake service animal documents can be purchased, thus making the clarifications in state law important.

Rep. Steven Arndt (R-Port Clinton) noted that the bill language includes dogs and miniature horses as service animals. The sponsors said those were the guidelines suggested by the blind federation, as the small horses can be trained for assistive tasks.

Rep. Al Landis (R-Dover) asked about the potential interaction with another bill heard by the committee Tuesday, which would generally allow restaurant owners to permit dogs in outdoor seating areas. Rep. Lipps acknowledged that the blind federation had noted several incidents in which true service animals were disrupted by other animals not as appropriately trained.

HB 263 **OUTDOOR DINING AREAS (Lanese, L.)** To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. **(CONTINUED; 2nd Hearing-Proponent)**

Several witnesses, including business owners and dog advocates, testified in support.

Sharon Harvey, president and CEO of the Cleveland Animal Protective League, said events such as Yappy Hours and Pups on Patios have been growing in popularity over the past decade, and it wasn't until earlier this year that she and other animal advocates learned that the practice is currently not permitted in Ohio law.

"HB263 is needed to affirm the rights of restaurant owners to decide what is right for their business, and to acknowledge the role that pets play in families," she said. "HB263 would leave the decision of whether to allow dogs on restaurant or bar patios up to the owner of the establishment. Business owners should have the right to make this decision according to their unique fact patterns."

Through her organization, 6,000 animals were adopted and more than 2,500 fostered last year, Ms. Harvey said. "We are reminded every day that pet owners love their animals and truly view them as members of the family - and we want to do everything we can to encourage families to spend time together. This bill celebrates the role that dogs play in the family by including them in fun outings."

Mary O'Connor-Shaver, representing Rescue Me Ohio, said several American tourist cities have adopted the practice of allowing dogs in restaurant patio areas.

"States such as California, Florida and Maryland, have been allowing dogs on restaurant patios for years. In Ohio, we have numerous hotels that provide accommodations for dogs, dog parks, dog drinking fountains, but there's nowhere for tourists to enjoy any kind of outdoor patio dining experience with their companion dog," she said.

"We are in full agreement with Representative Lanese's position that allowing dogs on restaurant and bar patios could benefit owners and our state's tourism industry," she said. "When people are traveling across the state and would like to stop and eat, they only have the option of eating from a drive-through restaurant or leaving their dog in their vehicle while they dine, which RMO strongly believes to be dangerous for the companion pet under any circumstances."

"We believe Ohio House Bill 263 to be a reasonable and balanced piece of proposed legislation which would allow restaurants to permit entry of any dog if they do not pose a health or safety hazard while requiring the owner to remain liable for any damage or injury caused by their companion pet," Ms. O'Connor-Shaver added. "We believe it is important to note that the proposed legislation would also continue to protect the civil rights of qualified individuals and their service animals under the ADA.

Others backing the bill in person or through written testimony included representatives of Winks and Whiskers, Mac's Tavern, Animal Protection at Work, Wagtown, Inc., Rascal Animal Hospital, Human Society of the United States, Ohio Restaurant Association, Gervasi Vineyard, Seventh Son Brewing and Holland & Muirden.

Subscribers Note: Full testimony is available on the [committee website](#) under Oct. 10.

Criminal Justice

HB 276 **UTILITY WORKERS** (Rezabek, J., Greenspan, D.) To expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. (CONTINUED; 2nd Hearing-Proponent)

Jason Dorsey, manager of metering services for Dayton Power & Light, described several examples that he said show the need for the bill, including incidents in which workers have been assaulted or shot at. In one case, a customer threatened to shoot the employee and to kill everyone at a local DP&L service building if the customer's service was shut off for nonpayment.

"We ask for the committee's support for this very important legislation that will help protect our utility workers and create a safer environment to help us safely and efficiently deliver electricity to our area residents and businesses," Mr. Dorsey said.

Five other companies or groups submitted written proponent testimony, urging lawmakers to recognize the danger utility workers can encounter on the job. The groups agreed the bill sends a message to the public and to utility workers.

"It reinforces the message that the services we provide are critical and that our workers should be able to perform their jobs without threat or fear of verbal abuse or physical violence," wrote AEP Ohio Vice President Selwyn Dias. "And it demonstrates to our workers that we value and applaud the tough work they do each day."

Others urging support included the Ohio Rural Water Association, the Coalition of Ohio Regional Districts, LE-AX Water District and Communications Workers of America.

HB 30 **PRISON TERMS** (Koehler, K.) To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm and that the victim was under 6 years of age at the time of the offense. (CONTINUED-SUBSTITUTE (No testimony); 3rd Hearing-Possible substitute)

The committee adopted a substitute bill (Comp Doc) that requires an additional prison term of six years for an offender who is convicted of felonious assault and a specification charging the victim suffered permanent disabling harm and was less than six years old at the time of the office. The prior version required an additional term of three to eight years for one convicted of a felony offense of violence with that specification.

Secondly, the substitute states that an offender convicted of the aforementioned specification must serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying felonious assault and allows any other prison term previously or subsequently imposed to be served concurrently with or consecutively to the mandatory prison term.

SB 33 **LAW ENFORCEMENT DATA (Eklund, J.)** To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case. (CONTINUED-AMENDED (No testimony); 3rd Hearing-All testimony-Possible amendments)

The committee adopted three amendments, including language that:

--Permits the court to offer intervention in lieu of conviction or continue intervention in lieu of conviction with additional terms, conditions and sanctions in the case of an offender who has failed to comply with terms of intervention.

--Enables Ohio State Highway Patrol officers who have completed the required training to administer oaths and acknowledged criminal and juvenile court complaints, summonses, affidavits and returns of court orders in matters related to their official duties.

--Expands the ability of OSHP officers to enforce criminal laws to include any facility operating under ORC Section 9.06, which pertains to private operation and management of initial intensive program prisons.

HB 137 **CHILD ABUSE REPORTING (Kent, B.)** To make municipal and county peace officers mandatory reporters of child abuse or neglect. (REPORTED; 4th Hearing-All testimony-Possible vote)

The committee reported the bill 11-0 after accepting written testimony from the Mike Weinman of the Fraternal Order of Police of Ohio.

"The FOP feels that HB 137 will enhance the relationship our members already have with our respective county children service agencies," Mr. Weinman wrote. "With HB 137, policies can be established with our member's agencies and the children service agencies when an officer suspects abuse or neglect but doesn't have enough to support a criminal investigation. This should add to an important safety net for the children involved."

SB 1 **DRUG OFFENSES (LaRose, F.)** To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. (CONTINUED (See separate story); 2nd Hearing-Proponent)

Subscribers Note: For full testimony see the [committee's website](#) under Oct. 10.

Education & Career Readiness

HB 98 **CAREER INFORMATION (Duffey, M., Boggs, K.)** Regarding the presentation of career information to students. (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)

HB 318 **SCHOOL RESOURCE OFFICERS** (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers. (**CONTINUED**; 1st Hearing-Sponsor)

The measure clarifies the role of school resource officers and the type of training they should receive, Rep. Sarah LaTourette (R-Chagrin Falls) said.

Currently, "while current law does allow school districts throughout Ohio to hire school resource officers, Ohio law lacks basic requirements for how SROs are trained and does not clearly identify even basic responsibilities," she said.

Under the bill, SROs must complete a training program approved by the Ohio Peace Officer Training Commission and enroll in an additional 40 hours of training that includes instruction on skills, tactics, and strategies, Rep. John Patterson (D-Jefferson) said.

The measure also allows SROs to carry firearms, make arrests and conduct searches or seizures of property.

"We all agree that safety is of the utmost importance for all of our citizens, but it is especially important that we take every possible step that we can to ensure the safety of our schools," Rep. Patterson said.

Rep. Kyle Koehler (R-Springfield) asked which requirements wouldn't pertain to existing SROs under a grandfather portion of the bill. None would apply, but most of the current officers have already undergone training, Rep. LaTourette said.

Rep. Patterson told Chairman Rep. Andy Brenner (R-Powell) said the Ohio School Resource Officers Association and its federal counterpart felt 40 hours of training would be the most appropriate.

HB 200 **SCHOOL CHOICE** (Koehler, K.) To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program. (**CONTINUED (See separate story)**; 6th Hearing-All testimony)

HB 338 **SCHOOL BUS DRIVERS** (Ginter, T.) Regarding medical examinations for school bus drivers. (**CONTINUED**; 1st Hearing-Sponsor)

Licensed chiropractors would be added to the list of qualified medical professionals who are qualified to perform annual physicals school bus drivers are required to complete under the bill, Rep. Tim Ginter (R-Salem) said.

Physician assistants, nurse practitioners, nurse specialists, nurse-midwives, or any persons licensed under Chapter 4731 to practice medicine and surgery or Osteopathic medicine and surgery are currently permitted to administer the exams.


"Ultimately, this legislation would allow current and future school bus drivers more accessibility when scheduling their annual physicals," Rep. Ginter said. "Chiropractors are listed on the National Registry of Certified Medical Examiners established by the Federal Motor Carrier Safety Administration. This certification allows them the ability to perform physicals on truck drivers."

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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